

DOCUMENT RESUME

ED 374 198

UD 030 079

TITLE Hearing on H.R. 6, School Safety, Hearing before the Subcommittee on Elementary, Secondary, and Vocational Education of the Committee on Education and Labor. House of Representatives, One Hundred Third Congress, First Session (June 22, 1993).

INSTITUTION Congress of the U.S., Washington, DC. House Subcommittee on Elementary, Secondary, and Vocational Education.

REPORT NO ISBN-0-16-044695-3

PUB DATE 94

NOTE 74p.; Serial No. 103-70.

AVAILABLE FROM U.S. Government Printing Office, Superintendent of Documents, Congressional Sales Office, Washington, DC 20402.

PUB TYPE Legal/Legislative/Regulatory Materials (090) -- Reports - Evaluative/Feasibility (142)

EDRS PRICE MF01/PC03 Plus Postage.

DESCRIPTORS Educational Facilities Improvement; Elementary Secondary Education; Federal Aid; *Federal Legislation; Hearings; Program Development; *School Safety; School Security; *Urban Schools; *Violence

IDENTIFIERS Congress 103rd; Elementary Secondary Education Act

ABSTRACT

As part of its consideration of the reauthorization of the Elementary and Secondary Education Act, the House Subcommittee on Elementary, Secondary, and Vocational Education met to address the need to maintain schools as safe learning environments. The Safe Schools Act of 1993 had been introduced as the administration's effort to help deal with violence in the schools. The first speaker, Madeleine Kunin, Deputy Secretary of Education, described the Safe Schools Act. The Act would authorize \$175 million in the first two years to be targeted to local education agencies with the greatest demonstrated needs. Additional statements were presented by (1) Bernard James, Professor of Law at Pepperdine University; (2) Michael Beard of the Coalition to Stop Gun Violence; (3) Douglas Holmes of the Fairfax County (Virginia) public schools; and (4) Susan Cooper, instructional aide in a Head Start program. Prepared statements of these speakers and other respondents are attached. (SLD)

* Reproductions supplied by EDRS are the best that can be made *
* from the original document. *

4D

HEARING ON H.R. 6, SCHOOL SAFETY

HEARING

BEFORE THE

SUBCOMMITTEE ON ELEMENTARY, SECONDARY,
AND VOCATIONAL EDUCATION

OF THE

COMMITTEE ON EDUCATION AND LABOR
HOUSE OF REPRESENTATIVES

ONE HUNDRED THIRD CONGRESS

FIRST SESSION

HEARING HELD IN WASHINGTON, DC, JUNE 22, 1993

Serial No. 103-70

Printed for the use of the Committee on Education and Labor



U.S. GOVERNMENT PRINTING OFFICE

81-245 CC

WASHINGTON : 1994

For sale by the U.S. Government Printing Office
Superintendent of Documents, Congressional Sales Office, Washington, DC 20402

ISBN 0-16-044695-3

BEST COPY AVAILABLE

UD 030 079

COMMITTEE ON EDUCATION AND LABOR

WILLIAM D. FORD, Michigan, *Chairman*

WILLIAM (BILL) CLAY, Missouri
GEORGE MILLER, California
AUSTIN J. MURPHY, Pennsylvania
DALE E. KILDEE, Michigan
PAT WILLIAMS, Montana
MATTHEW G. MARTINEZ, California
MAJOR R. OWENS, New York
THOMAS C. SAWYER, Ohio
DONALD M. PAYNE, New Jersey
JOLENE UNSOELD, Washington
PATSY T. MINK, Hawaii
ROBERT E. ANDREWS, New Jersey
JACK REED, Rhode Island
TIM ROEMER, Indiana
ELIOT L. ENGEL, New York
XAVIER BECERRA, California
ROBERT C. SCOTT, Virginia
GENE GREEN, Texas
LYNN C. WOOLSEY, California
CARLOS A. ROMERO-BARCELO,
Puerto Rico
RON KLINK, Pennsylvania
KARAN ENGLISH, Arizona
TED STRICKLAND, Ohio
RON DE LUGO, Virgin Islands
ENI F. H. FALEOMAVAEGA,
American Samoa
SCOTTY BAESLER, Kentucky
ROBERT A. UNDERWOOD, Guam

PATRICIA F. RISSLER, *Staff Director*
JAY EAGEN, *Minority Staff Director*

WILLIAM F. GOODLING, Pennsylvania
THOMAS E. PETRI, Wisconsin
MARGE ROUKEMA, New Jersey
STEVE GUNDERSON, Wisconsin
RICHARD K. ARMEY, Texas
HARRIS W. FAWELL, Illinois
PAUL B. HENRY, Michigan
CASS BALLENGER, North Carolina
SUSAN MOLINARI, New York
BILL BARRETT, Nebraska
JOHN A. BOEHNER, Ohio
RANDY "DUKE" CUNNINGHAM, California
PETER HOEKSTRA, Michigan
HOWARD P. "BUCK" McKEON, California
DAN MILLER, Florida

SUBCOMMITTEE ON ELEMENTARY, SECONDARY, AND VOCATIONAL EDUCATION

DALE E. KILDEE, Michigan, *Chairman*

GEORGE MILLER, California
THOMAS C. SAWYER, Ohio
MAJOR R. OWENS, New York
JOLENE UNSOELD, Washington
JACK REED, Rhode Island
TIM ROEMER, Indiana
PATSY T. MINK, Hawaii
ELIOT L. ENGEL, New York
XAVIER BECERRA, California
GENE GREEN, Texas
LYNN C. WOOLSEY, California
KARAN ENGLISH, Arizona
TED STRICKLAND, Ohio
DONALD M. PAYNE, New Jersey
CARLOS A. ROMERO-BARCELO,
Puerto Rico

WILLIAM F. GOODLING, Pennsylvania
STEVE GUNDERSON, Wisconsin
HOWARD "BUCK" McKEON, California
THOMAS E. PETRI, Wisconsin
SUSAN MOLINARI, New York
RANDY "DUKE" CUNNINGHAM, California
DAN MILLER, Florida
MARGE ROUKEMA, New Jersey
JOHN A. BOEHNER, Ohio

CONTENTS

	Page
Hearing held in Washington, DC, June 22, 1993	1
Statement of:	
Kunin, Hon. Madeleine, Deputy Secretary of Education, U.S. Department of Education	2
James, Bernard, Professor of Law, Pepperdine University, Malibu, CA; Michael Beard, President, Coalition to Stop Gun Violence, Washington, DC; Douglas C. Holmes, Director, Student Services, Fairfax County Public Schools, Falls Church, VA; and Susan Cooper, Instructional Aide, Head Start Program, Alexandria, VA	24
Prepared statements, letters, supplemental materials, et cetera:	
Beard, Michael, President, Coalition to Stop Gun Violence, Washington, DC, prepared statement of	35
Cooper, Susan, Instructional Aide, Head Start Program, Alexandria, VA, prepared statement of	55
Holmes, Douglas C., Director, Student Services, Fairfax County Public Schools, Falls Church, VA, prepared statement of	44
James, Bernard, Professor of Law, Pepperdine University, Malibu, CA, prepared statement of	28
Kunin, Hon. Madeleine, Deputy Secretary of Education, U.S. Department of Education, prepared statement of	6
Payne, Hon. Donald M., a Representative in Congress from the State of New Jersey, prepared statement of	67
Schumer, Hon. Charles E., a Representative in Congress from the State of New York, prepared statement of	69

HEARING ON H.R. 6, SCHOOL SAFETY

TUESDAY, JUNE 22, 1993

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON ELEMENTARY, SECONDARY,
AND VOCATIONAL EDUCATION,
COMMITTEE ON EDUCATION AND LABOR,
Washington, DC.

The subcommittee met, pursuant to call, at 9:30 a.m., Room 2175, Rayburn House Office Building, Hon. Dale E. Kildee, Chairman, presiding.

Members present: Representatives Kildee, Miller of California, Sawyer, Owens, Reed, Roemer, Woolsey, Payne, Romero-Barcelo, Goodling, Gunderson, and McKeon.

Staff present: Susan Wilhelm, staff director; Thomas Kelley, legislative associate; June Harris, legislative specialist; Bess Taylor, secretary/clerk; Lynn Selmser, professional staff member.

Chairman KILDEE. The Subcommittee on Elementary, Secondary, and Vocational Education convenes this morning for its 16th hearing on the reauthorization of the Elementary and Secondary Education Act. Today's hearing addresses the need to maintain our schools as safe learning environments.

Studies indicate that our schools are a reflection of our society. Unfortunately, that means as our society reacts violently to the stresses of poverty and other societal pressures, so do our schools. When a school becomes unsafe, we must look at the conditions in the community as a whole to try to understand and address the school atmosphere.

Several bills seeking to help schools deal with violence have been introduced by members of this subcommittee. Last Thursday Major Owens introduced the administration's effort in this area, the Safe Schools Act of 1993, which Deputy Secretary Kunin will be speaking to this morning.

I am pleased to see that this bill incorporated several of the key concepts contained in the Gang-Free Schools and Communities Act, which I introduced, and which was enacted last year as part of the Juvenile Justice Reauthorization. Before I introduce our witness, I would like to recognize my good friend, Mr. McKeon, if he has an opening statement.

He defers, and I am sure the Secretary will appreciate that, because Ms. Kunin has a plane to catch today.

So, governor, if you will come forth we will take your testimony.

The first witness is the Honorable Madeleine Kunin, the Deputy Secretary of Education and past Governor of the great State of Vermont.

Governor, you may proceed.

STATEMENT OF HON. MADELEINE KUNIN, DEPUTY SECRETARY OF EDUCATION, U.S. DEPARTMENT OF EDUCATION

Ms. KUNIN. Thank you very much, Mr. Chairman, and members of the committee. And permit me to introduce Bill Modzeleski from our department whose expertise is in the area of drug and alcohol abuse and also issues related to violence.

I also bring you special greetings from Secretary Riley who is very pleased that your committee will begin the markup on Goals 2000 tomorrow. And let me get into the subject at hand, and that is our mutual concern regarding the extent and nature of crime and violence in the Nation's schools.

We in the Department of Education and the Clinton administration hear the same voices that you do. Parents and teachers and students really asking for help to reduce what we can now describe as a growing epidemic of violence. We must take some action because this is the only way that learning can take place.

We also recognize that there are no easy answers to this question. But we cannot let that reality prevent us from taking some preliminary steps and developing the best programs we can and strategies that effectively stem the growth of violence.

Needless to say, the President and Secretary Riley strongly share your commitment to reduced violence and ensure that all children can attend the schools that are safe, disciplined and drug free.

Just to give you another barometer of the extent of concern about this issue, this past weekend Secretary Riley and I had the opportunity to meet with the Democratic governors in Woodstock, Vermont, and when we went over the education agenda, they were very interested in all the issues including Goals 2000 and student loan reform. But what really captured their interest most strongly was the fact that we had introduced legislation to assist the States in dealing with the violence issues in their communities. So clearly this is a question that is high on everybody's agenda.

And we realize that we are living in very different times when the ordinary schoolday is different than it was when we went to school, and certainly is different from city to city. When the first thing that confronts a child is a metal detector, you realize that that child is having a different learning experience than children used to long ago.

What is clear also is that dealing with this issue fits into our commitment to Goals 2000 and setting high standards for all children. Goal six, as you know, deals directly with the question of making sure that all of our schools are drug free and safe. We also realize that we really have to work on dual tracks simultaneously to raise the standards, to raise the bar, to have high content and challenging material for our children, but simultaneously to deal with the learning environment.

And if we don't do both, we may succeed at neither. Obviously children, when they have more challenging material, may be less bored and less violence-prone. At the same time, they can't deal with challenging material if they are filled with fear as they go to school or are in school.

The major initiative that the Clinton administration has launched to deal with this area is the Safe Schools Act, which was introduced in the House last week. And this marks the first time that Federal legislation has been introduced to help schools address this acute problem.

The bill would authorize \$175 million in the first 2 years; \$75 million the first year, \$100 million the next year. And it would be targeted to local education agencies, those that have demonstrated the highest crime rates, incidents of discipline programs and statistics such as numbers of expulsion and referrals to alternative schools and youth under the supervision of the courts.

Applicants would be required to include an assessment of the current violence and crime problems in their schools and in the second year they would be asked to submit a comprehensive long-term school safety plan. The purpose of the grant obviously is to help them deal with the violence problems, but also to initiate strategies on their own that involve the whole community.

Such things as in the community advisory committee would be required in order to continue the second year of funding. Grants would be for up to \$3 million per year and would be awarded for a maximum of 2 years.

The funds could be used quite flexibly to assess their problems, to plan long-term strategies, to conduct community education programs, to coordinate school-based activities, to develop violence prevention activities such as conflict resolution and peer mediation. Five percent, only 5 percent of the funds would be permitted for the administrative costs. And 5 percent would be allocated to the Department of Education to conduct research and public awareness programs.

There is a limit on the amount of the grants that could be used for minor remodeling and for purchasing such equipment as metal detectors. The cap that is placed on that is 33 percent. And the reason for that is fairly clear.

While we realize that for many schools there is a sense of urgency that they feel they must take the first step to put into place further security, we realize from all the evidence that we have surveyed that that is not the real solution. It is a stop-gap measure.

But we really have to look deeper and wider at the violence issues if we are to find solutions. And the cost of these strategies is also very high. An average metal detector costs about \$3,000. New York City is expected to spend \$28 million and it is also very time-consuming for children to go through a detector at Thomas Jefferson High School in New York. It took about 1½ hours and 40 security people to have 1,800 people go through the detector.

So while we realize there is a strong desire on the part of schools, often because they are desperate to purchase such equipment, and that it is appropriate to do so, that should not be considered the sole strategy; that it is important to involve the entire community, law enforcement agencies, parents, the private sector, if we really are to change the environment in which the school exists so that children are more safe in their communities as well as their schools.

In addition to the Safe Schools Act, the Department has other programs that are designed to help address this problem. One we

have with the Department of Justice: we support the National School Safety Center in Los Angeles County. And that is currently the only nonprofit organization in the country that provides training and technical assistance to schools in chronic violence prevention.

We are also sponsoring a forum with the Department of Justice this July, "Safeguarding our Youth, Violence Prevention for our Nation's Children." And we believe this will begin an important discussion that will include community organizations and will enable us to pinpoint some of the programs that work.

One of the functions, as you know, of the Department of Education is to disseminate good ideas and help people cope with their programs by having access to good information and good statistics.

In addition, with the Department of Justice and with HUD, we support a Safe Havens Program in 20 cities. This allows schools to be open evenings and weekends and it is one way that children in high crime areas can find refuge in the school beyond the school hours.

In addition, we have Project Smart, which again is cosponsored with the Department of Justice and has helped schools collect and analyze data in terms of crime and drug use and discipline infractions. We find that there is very little good data collected in this area. Even though we too have our statistics, they are not collected school by school, and this is an important program to help schools do that.

And finally, we are combining in many ways the question of violence and the question of drug-free schools. Our drug-free school recognition program now has to also demonstrate its commitment to safe and disciplined schools because we realize that the two, unfortunately, often occur in the same settings.

And finally, as we are amending the Drug-Free Schools and Communities Act, we are looking at it from that point of view: that there should be more flexibility to allow schools to address both alcohol and drug abuse and violent behavior in the same kind of program and strategy.

We welcome your advice and counsel in this regard. But our goal, of course, is to achieve Goal Six by the year 2000: that all schools in America will be safe, disciplined and drug free and offer an environment that is conducive to learning. I am sure you know through your research that the whole question of violence in our schools is not entirely new but what is new is the prevalence and the nature of crime.

And I think each day we cross a new threshold that alerts us to the real poignancy and fear that is attached to this issue. When I first came to Washington, I think I was here about a month and each day in the headlines had seen something in the Washington Post related to violence in the schools. But this particular day it struck me even more powerfully than usual because there was a picture on the front page of a principal comforting a first grader. What had happened was at the Turner Elementary School in Washington, DC, the police had chased a suspect through the school. He was running from one end of the school to the other. And in the process, they shot him. So there was a shooting in an elementary school.

Now we are used to shootings in high schools, unfortunately. We are almost even used to metal detectors, but this seemed to be breaking another taboo, that a first grader had to be comforted because of her fear of being shot because of blood on the floor in an elementary school. So we realize that this is a very pervasive, difficult problem.

As a result, incidentally, the Department of Education contacted the principal, and we visited the school. And we are making an effort to make more of a partnership with the Washington, DC school system and the Department of Education.

Clearly we have to have a national partnership here to help schools and communities cope with these issues. The statistics are very startling.

Sixteen percent of high school seniors reported having been threatened with a weapon at school the previous year, and one of every five high school students now carries a firearm, knife, razor, club or weapon on a regular basis. But we realize behind these statistics there are very, very difficult personal stories.

We cannot allow these headlines, these stories to continue to appear. Neither can we inure ourselves against the gravity of the situation. I think the worst part about violence in our society is that we almost assume that it is inevitable.

And I think that what your committee and what we in this administration strongly believe, is that it can never be inevitable. That it always has to be preventable. And we have to really search for strategies that can work, that can help our communities, educate their children so that families, parents can feel good about their children going to school; feel that their children are safe in school, and that they can grow up to be productive human beings.

I think with cooperation, with your committee, with our promotion and your support of the Safe School Act, and with other initiatives that we can jointly explore, we can make tremendous progress and continue to assert our commitment that the status quo is unacceptable and that we have to find ways to change the violent nature of today's society.

Thank you very much.

[The prepared statement of Ms. Kunin follows:]

THE HONORABLE MADELEINE M. KUNIN

MR. CHAIRMAN, AND MEMBERS OF THE SUBCOMMITTEE, THANK YOU FOR THE OPPORTUNITY TO TALK WITH YOU ABOUT OUR MUTUAL CONCERN REGARDING THE EXTENT AND NATURE OF CRIME AND VIOLENCE IN THE NATION'S SCHOOLS.

WE HEAR THE SAME VOICES THAT YOU DO--PARENTS, TEACHERS, AND STUDENTS ARE ASKING FOR OUR HELP TO REDUCE THE GROWING EPIDEMIC OF VIOLENCE IN ORDER TO CREATE A SAFE LEARNING ENVIRONMENT. THERE ARE NO EASY ANSWERS TO THIS QUESTION, BUT WE CANNOT LET THAT REALIZATION PREVENT US FROM TAKING SOME PRELIMINARY STEPS TO DEVELOP PROGRAMS AND STRATEGIES THAT EFFECTIVELY STEM ITS GROWTH.

SPEAKING TO YOU TODAY, I REPRESENT THE PRESIDENT AND SECRETARY RILEY WHO STRONGLY SHARE YOUR COMMITMENT TO REDUCE VIOLENCE AND ENSURE THAT ALL CHILDREN ATTEND SCHOOLS THAT ARE SAFE, DISCIPLINED, AND DRUG FREE.

THIS PAST WEEKEND, SECRETARY RILEY AND I HAD AN OPPORTUNITY TO MEET WITH THE DEMOCRATIC GOVERNORS ASSOCIATION IN WOODSTOCK, VERMONT, AND THEY EXPRESSED THEIR DEEP CONCERN ABOUT INCREASED VIOLENCE IN THEIR STATES AND WERE VERY INTERESTED TO LEARN THAT WE INTRODUCED LEGISLATION LAST WEEK, THE SAFE SCHOOLS ACT.

WE IN THE DEPARTMENT OF EDUCATION RECOGNIZE THAT CHILDREN CANNOT LEARN, TEACHERS CANNOT TEACH, AND PARENTS ARE RELUCTANT TO SEND THEIR CHILDREN TO SCHOOLS WHERE CRIME AND VIOLENCE ARE AN ORDINARY PART OF THE SCHOOL DAY. SUCH AN INTIMIDATING AND FEARFUL ENVIRONMENT NOT ONLY THREATENS A CHILD'S SAFETY AND POSSIBLY HIS OR HER LIFE, BUT ALSO CLEARLY INHIBITS THAT CHILD'S ABILITY TO LEARN.

AS YOU KNOW, OUR HIGHEST PRIORITY FOR THE IMPROVEMENT OF EDUCATION IN AMERICA IS THE ENACTMENT OF THE GOALS 2000, EDUCATE

AMERICA ACT, WHICH CODIFIES THE EDUCATION GOALS AND SETS HIGH STANDARDS FOR ALL CHILDREN.

WE CANNOT SUCCEED IN ACHIEVING EXCELLENCE IF WE DO NOT SIMULTANEOUSLY, IMPROVE SAFETY. THAT IS WHY WE PLACE IMPORTANCE ON WHAT CHILDREN LEARN AND CAN DO, AS WELL AS THE SOCIAL ENVIRONMENT IN WHICH LEARNING TAKES PLACE. BOTH ARE ESSENTIAL TO EDUCATIONAL EXCELLENCE AND EXPANDED OPPORTUNITIES FOR ALL CHILDREN--WHICH IS THE MISSION OF THIS ADMINISTRATION, AND OUR DEPARTMENT.

RECOGNIZING THE RELATIONSHIP OF CRIME AND VIOLENCE TO LEARNING, AND THE ROLE OF SCHOOLS IN CRIME AND VIOLENCE PREVENTION, THE ADMINISTRATION HAS TAKEN SEVERAL STEPS TO CONTRIBUTE TO CHILDREN'S SAFETY. THE FIRST STEP IS OUR PROPOSED "SAFE SCHOOLS ACT" WHICH WAS INTRODUCED LAST WEEK. THIS LEGISLATION MARKS THE FIRST TIME THAT FEDERAL LEGISLATION HAS BEEN INTRODUCED TO HELP SCHOOLS ADDRESS THIS ACUTE PROBLEM, AND CLEARLY RECOGNIZES THE CONNECTION OF CRIME AND VIOLENCE TO LEARNING.

THE BILL WOULD AUTHORIZE \$175 MILLION IN THE FIRST TWO YEARS, WITH 95% OF THE MONEY GOING WHERE IT IS NEEDED MOST URGENTLY--TO LOCAL EDUCATIONAL AGENCIES WITH THE MOST SERIOUS CRIME, VIOLENCE, AND DISCIPLINE PROBLEMS, AS INDICATED BY SUCH PROBLEMS AS HIGH NUMBERS OF EXPULSIONS FROM SCHOOLS, REFERRALS TO ALTERNATIVE SCHOOLS, AND YOUTH UNDER THE SUPERVISION OF THE COURTS.

APPLICANTS WOULD BE REQUIRED TO: SUBMIT AN APPLICATION THAT INCLUDES AN ASSESSMENT OF THE CURRENT VIOLENCE AND CRIME PROBLEMS IN THE SCHOOLS; HAVE WRITTEN POLICIES REGARDING SCHOOL SAFETY, STUDENT DISCIPLINE, AND APPROPRIATE HANDLING OF VIOLENT OR DISRUPTIVE ACTS; AND HAVE A PLAN TO ESTABLISH A SCHOOL-LEVEL ADVISORY COMMITTEE TO ASSESS PROBLEMS AND DESIGN PROGRAMS. IN ORDER TO RECEIVE SECOND-YEAR FUNDING, THE GRANTEE WOULD SUBMIT A COMPREHENSIVE, LONG-TERM, SCHOOL SAFETY PLAN FOR COMBATTING AND PREVENTING SCHOOL VIOLENCE AND DISCIPLINE PROBLEMS.

GRANTS WOULD BE FOR UP TO \$3 MILLION PER YEAR AND WOULD BE AWARDED FOR A MAXIMUM OF TWO YEARS. RECIPIENTS COULD CONDUCT A VARIETY OF PREVENTION ACTIVITIES. FOR EXAMPLE, SCHOOLS COULD USE THEIR FUNDS TO:

- ASSESS SCHOOL VIOLENCE AND DISCIPLINE PROBLEMS;
- CONDUCT REVIEWS OF SCHOOL SAFETY OR VIOLENCE PREVENTION PROGRAMS, POLICIES, PRACTICES, AND FACILITIES;
- PLAN LONG-TERM STRATEGIES;
- CONDUCT COMMUNITY EDUCATION PROGRAMS;
- COORDINATE SCHOOL-BASED ACTIVITIES DESIGNED TO PROMOTE SCHOOL SAFETY; AND
- DEVELOP VIOLENCE PREVENTION ACTIVITIES SUCH AS CONFLICT RESOLUTION AND PEER MEDIATION.

IN ORDER TO ENCOURAGE SCHOOLS TO USE A VARIETY OF MEANS TO ADDRESS VIOLENCE, THE BILL IMPOSES A CAP OF 5% ON ADMINISTRATIVE COSTS. IT LIMITS COSTS FOR REMODELING FACILITIES, PURCHASING OR INSTALLING METAL DETECTORS, OR HIRING SECURITY PERSONNEL TO NO MORE THAN ONE-THIRD OF THE GRANT.

THE BILL SETS ASIDE THE REMAINING 5% OF THE FUNDING FOR THE DEPARTMENT OF EDUCATION TO CONDUCT RESEARCH AND PUBLIC AWARENESS PROGRAMS, AND PROVIDE TRAINING AND TECHNICAL ASSISTANCE.

IN ADDITION TO "THE SAFE SCHOOLS ACT," THE DEPARTMENT OF EDUCATION WILL CONTINUE TO PARTICIPATE IN A VARIETY OF OTHER ACTIVITIES THAT ADDRESS SCHOOL VIOLENCE:

- IN COOPERATION WITH THE DEPARTMENT OF JUSTICE WE SUPPORT THE NATIONAL SCHOOL SAFETY CENTER. THE CENTER, LOCATED IN LOS ANGELES COUNTY, IS CURRENTLY THE ONLY NON-PROFIT ORGANIZATION IN THE COUNTRY THAT PROVIDES TRAINING AND TECHNICAL ASSISTANCE TO SCHOOLS IN CRIME AND VIOLENCE PREVENTION.

--THIS SUMMER, THE DEPARTMENTS OF EDUCATION AND JUSTICE WILL CO-SPONSOR A FORUM ON VIOLENCE PREVENTION. THE FORUM IS CALLED "SAFEGUARDING OUR YOUTH: VIOLENCE PREVENTION FOR OUR NATION'S CHILDREN." IT IS DESIGNED TO BRING A DIVERSE GROUP OF REPRESENTATIVES OF COMMUNITY ORGANIZATIONS TOGETHER TO EDUCATE ONE ANOTHER ABOUT YOUTH VIOLENCE PREVENTION AND TO IDENTIFY PROMISING STRATEGIES AND PROGRAMS. SECRETARY RILEY'S JULY TOWN HALL MEETING WHICH REACHES 2000 COMMUNITIES WILL BE HELD IN CONJUNCTION WITH THE FORUM AND WILL FOCUS ON VIOLENCE PREVENTION.

--THE DEPARTMENT OF EDUCATION AND THE DEPARTMENTS OF JUSTICE AND HOUSING AND URBAN DEVELOPMENT HAVE SUPPORTED THE DEVELOPMENT OF "SAFE HAVENS" IN 20 CITIES. THESE PROGRAMS PROVIDE YOUNG PEOPLE WITH A VARIETY OF EDUCATIONAL, RECREATIONAL, AND CULTURAL ACTIVITIES, AFTER SCHOOL IN A SAFE, DISCIPLINED ENVIRONMENT.

--"PROJECT SMART" (SCHOOL MANAGEMENT AND RESOURCE TEAMS), SUPPORTED BY THE DEPARTMENT OF EDUCATION AND THE DEPARTMENT OF JUSTICE, HAS HELPED SCHOOLS COLLECT AND ANALYZE DATA ON INCIDENTS OF SCHOOL CRIME, DRUG USE, AND DISCIPLINARY INFRACTIONS. THE PROJECT IS OPERATING IN VARIOUS SCHOOLS IN VIRGINIA, WASHINGTON DC, MARYLAND, WISCONSIN, FLORIDA, AND ILLINOIS.

--THE DEPARTMENT OF EDUCATION HAS ADDED SCHOOL DISCIPLINE, CRIME, AND VIOLENCE-RELATED ISSUES TO THE DRUG-FREE SCHOOL RECOGNITION PROGRAM. NOW, IN ORDER FOR A SCHOOL TO RECEIVE RECOGNITION, IT MUST DEMONSTRATE ITS COMMITMENT TO MAINTAINING A SAFE AND DISCIPLINED SCHOOL, THROUGH DEVELOPMENT OF A SOUND, WELL-ARTICULATED DISCIPLINE POLICY. SCHOOLS MUST ALSO HAVE PROVISIONS FOR REPORTING AND MAINTAINING RECORDS ON BEHAVIORAL PROBLEMS, INCLUDING DISRUPTIONS IN CLASS AND VERBAL/PHYSICAL ABUSE OF STAFF AND STUDENTS.

--FINALLY, AS PART OF THE DRUG-FREE SCHOOLS AND COMMUNITIES ACT REAUTHORIZATION, THE DEPARTMENT OF EDUCATION IS CONSIDERING AMENDING THE DRUG-FREE SCHOOLS AND COMMUNITIES ACT TO SUPPORT VIOLENCE PREVENTION. MANY OF THE RISK FACTORS THAT DRAW STUDENTS TO ALCOHOL AND DRUG USE ARE THE SAME RISK FACTORS ASSOCIATED WITH VIOLENT BEHAVIOR. ONE OF THE MOST EFFECTIVE MEANS OF ADDRESSING BOTH OF THESE PROBLEMS--DRUGS AND VIOLENCE--IS THROUGH AN EXPANDED PROGRAM THAT PERMITS SCHOOLS TO DEVELOP PROGRAMS TO ADDRESS BOTH PROBLEMS IN A MORE COMPREHENSIVE FASHION. ADDRESSING BOTH ISSUES WILL ENABLE US TO ACHIEVE NATIONAL EDUCATION GOAL SIX WHICH, AS THE SUBCOMMITTEE KNOWS, STATES THAT BY THE YEAR 2000, ALL SCHOOLS IN AMERICA WILL BE SAFE, DISCIPLINED AND DRUG FREE, AND OFFER A DISCIPLINED ENVIRONMENT CONDUCTIVE TO LEARNING.

CRIME AND VIOLENCE IN OUR SCHOOLS ARE NOT NEW. A MAJOR SURVEY, "VIOLENT SCHOOLS-SAFE SCHOOLS--THE SAFE SCHOOL STUDY REPORT TO THE CONGRESS," BY THE U.S. DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE IN 1976 AND 1977, SHOWED THAT:

--THE RISK OF VIOLENCE TO TEENAGERS WAS GREATER IN SCHOOL THAN ELSEWHERE, WHEN THE AMOUNT OF TIME SPENT AT SCHOOL WAS TAKEN INTO ACCOUNT. (ALTHOUGH TEENAGE YOUTH MAY SPEND AT MOST 25% OF THEIR WAKING HOURS IN SCHOOL, 40% OF THE ROBBERIES AND 36% OF THE ASSAULTS ON URBAN TEENAGERS OCCURRED IN SCHOOLS).

--THEFT WAS THE MOST WIDESPREAD OF THE OFFENSES MEASURED: 11% OF THE NATION'S SECONDARY STUDENTS HAD SOMETHING WORTH MORE THAN \$1 STOLEN FROM THEM IN A 30-DAY PERIOD.

--AN ESTIMATED 1.3% OF SECONDARY SCHOOL STUDENTS REPORTED THAT THEY WERE ATTACKED AT SCHOOL IN A TYPICAL ONE-MONTH PERIOD. ABOUT TWO-FIFTHS OF THESE ATTACKS RESULTED IN SOME INJURY, BUT ONLY 4% OF THE INJURIES WERE SERIOUS ENOUGH TO REQUIRE MEDICAL ATTENTION.

--ABOUT ONE-HALF OF 1% OF SECONDARY TEACHERS WERE PHYSICALLY ATTACKED AT SCHOOL IN A MONTH'S TIME. NEARLY ONE-FIFTH OF THESE ATTACKS REQUIRED MEDICAL TREATMENT.

WHILE CRIME AND VIOLENCE CONTINUE TO BE PART OF SCHOOL LIFE, WHAT HAS CHANGED IS THE PREVALENCE OF AND NATURE OF CRIME AND VIOLENCE OCCURRING IN OUR SCHOOLS.

RECENT DATA FROM NATIONAL, STATE, AND LOCAL SURVEYS, AS WELL AS INFORMATION PROVIDED BY STUDENTS, PARENTS, TEACHERS, AND ADMINISTRATORS, PAINT A BLEAK PICTURE OF WHAT IS OCCURRING IN MANY OF OUR SCHOOLS TODAY:

- O APPROXIMATELY 3 MILLION THEFTS AND VIOLENT CRIMES OCCUR ON OR NEAR SCHOOL CAMPUSES EVERY YEAR. THIS EQUATES TO NEARLY 16,000 INCIDENTS PER SCHOOL DAY, OR ONE INCIDENT EVERY SIX SECONDS.
- O 16% OF HIGH SCHOOL SENIORS REPORTED HAVING BEEN THREATENED WITH A WEAPON AT SCHOOL DURING THE PREVIOUS YEAR AND 7% REPORTED BEING INJURED WITH A WEAPON .
- O APPROXIMATELY ONE OF EVERY FIVE HIGH SCHOOL STUDENTS NOW CARRIES A FIREARM, KNIFE, RAZOR, CLUB, OR OTHER WEAPON ON A REGULAR BASIS [THOUGH NOT NECESSARILY TO SCHOOL].
- O APPROXIMATELY 20% OF ALL PUBLIC SCHOOL TEACHERS REPORTED BEING VERBALLY ABUSED, 8% REPORTED BEING PHYSICALLY THREATENED, AND 2% REPORTED BEING PHYSICALLY ATTACKED DURING THE PREVIOUS YEAR.
- O NEARLY 8% OF ALL STUDENTS IN GRADES 9-12 REPORTED THAT THEY HAD BEEN IN AT LEAST ONE PHYSICAL FIGHT THAT RESULTED IN AN INJURY REQUIRING TREATMENT BY A DOCTOR OR NURSE DURING A 30-DAY PERIOD (PRECEDING THE SURVEY).

O 15% OF STUDENTS SAID THEIR SCHOOL HAD GANGS, AND 16% REPORTED THAT A STUDENT HAD ATTACKED OR THREATENED A TEACHER AT THE SCHOOL.

MOST OF THE ABOVE-MENTIONED FINDINGS ARE BASED ON SURVEY DATA COLLECTED FROM A REPRESENTATIVE SAMPLE OF YOUTH, RATHER THAN FROM REPORTS OF INDIVIDUAL INCIDENTS. LOCAL EDUCATIONAL AGENCIES DO NOT ALWAYS COLLECT DATA ON SCHOOL-RELATED VIOLENCE, AND FEW REPORT IT TO ANY CENTRAL COLLECTION POINT. (ONLY THREE STATES-- CALIFORNIA, CONNECTICUT, AND SOUTH CAROLINA--MANDATE SCHOOL CRIME REPORTING).

INFORMATION COLLECTED BY THE DEPARTMENT OF EDUCATION SHOWS THAT VIOLENCE IS NOT LIMITED TO PUSHING OR SHOVING, OR FIGHTING WITH FISTS, NOR IS IT CONFINED TO ANY ONE PART OF THE COUNTRY. WE KNOW THAT VIOLENCE AND CRIME OCCUR IN URBAN, SUBURBAN, AND RURAL SCHOOLS AND THAT IT IS NO LONGER LIMITED TO THEFT OR SIMPLE ASSAULT OR FIGHTING; IT OFTEN INCLUDES ASSAULT WITH A DEADLY WEAPON AND EVEN HOMICIDE. WHILE NO COMPREHENSIVE STATISTICS ARE AVAILABLE, DATA COLLECTED BY REGIONAL CENTERS FOR DRUG-FREE SCHOOLS AND COMMUNITIES AND THE NATIONAL SCHOOL SAFETY CENTER-- WHICH ARE SUPPORTED BY THE DEPARTMENT OF EDUCATION--PAINT A VERY GRIM AND SOMETIMES FRIGHTENING PICTURE. FOR EXAMPLE:

--IN AMARILLO, TEXAS (SEPTEMBER 1992) SIX STUDENTS WERE SHOT AND ANOTHER WAS TRAMPLED WHEN A 17-YEAR OLD STUDENT OPENED FIRE IN A CROWDED HALLWAY AFTER A PEP RALLY.

--IN LITTLE ROCK, ARKANSAS (SEPTEMBER 1992) A VETERAN HIGH SCHOOL TEACHER WAS STABBED IN HER CLASSROOM AS MANY AS 20 TIMES BY A STUDENT SHE HAD DISCIPLINED EARLIER IN THE DAY.

--IN CHICAGO, ILLINOIS (NOVEMBER 1992) A 15-YEAR-OLD STUDENT WAS SHOT AND KILLED AND TWO OTHERS WERE INJURED OUTSIDE A SECOND-FLOOR SCIENCE CLASSROOM AS STUDENTS CROWDED HALLWAYS

DURING A BREAK. THIS WAS THE SECOND VIOLENT DEATH INSIDE A CHICAGO SCHOOL IN 10 DAYS.

--IN DETROIT, MICHIGAN (NOVEMBER 1992) TEN DETROIT STUDENTS WERE WOUNDED--SIX OF THEM INSIDE A HIGH SCHOOL--IN THREE SEPARATE SHOOTINGS. THESE SHOOTINGS OCCURRED IN ONE DAY.

--IN OAKLAND, CALIFORNIA (JANUARY 1993) A HIGH SCHOOL STUDENT WHO LOST A 25-CENT BET OVER A PAPER WAD SHOOTING WAS STABBED IN CLASS BY THE CLASSMATE TO WHOM HE OWED THE MONEY.

--IN HARLEM, GEORGIA (MARCH 1993) A HIGH SCHOOL STUDENT OPENED FIRE IN A SCHOOL HALLWAY, KILLING ONE TEENAGER AND INJURING ANOTHER.

OUR REVIEW OF THE DATA RELATED TO SCHOOL CRIME AND VIOLENCE, AS WELL AS OF PROGRAMS, PRACTICES, AND POLICIES BEING IMPLEMENTED BY SCHOOL DISTRICTS TO COMBAT CRIME AND VIOLENCE, HAS LED TO THESE CONCLUSIONS:

- O CURRENTLY, THERE IS NO SYSTEMATIC WAY TO ASSESS THE EXTENT OF SCHOOL CRIME AND VIOLENCE OR TO MEASURE ACCURATELY WHETHER AND BY HOW MUCH SCHOOL CRIME IS INCREASING.
- O THE EFFECTS OF CRIME AND VIOLENCE--WHETHER IT OCCURS ON SCHOOL CAMPUSES OR ON THE WAY TO AND FROM SCHOOL--OFTEN EXTEND BEYOND THE INDIVIDUAL VICTIM AND PERPETRATOR. VIOLENCE AFFECTS FAMILIES, COMMUNITIES, AND ENTIRE SCHOOLS. A VIOLENT INCIDENT IN A CLASSROOM CAN DISRUPT LEARNING IN THAT CLASSROOM AND IN THAT SCHOOL FOR DAYS, WEEKS, OR EVEN MONTHS.
- O COMPREHENSIVE PROGRAMS THAT ADDRESS A VARIETY OF "RISK FACTORS" CONFRONTING YOUTH ARE MORE EFFECTIVE THAN PROGRAMS THAT ARE NARROW IN SCOPE AND DESIGN. YET, WE FIND THAT MANY SCHOOLS:

--DO NOT COLLECT DATA RELATED TO SCHOOL VIOLENCE AND CRIME, AND, IF THEY DO, THE DATA ARE NOT USED TO AFFECT PROGRAM DEVELOPMENT.

--HAVE NOT DEVELOPED OR CONSISTENTLY ENFORCED POLICIES THAT RELATE TO WHAT IS HAPPENING IN SCHOOLS AND COMMUNITIES TODAY WITH REGARD TO VIOLENCE AND CRIME.

--RELY SOLELY ON SECURITY MEASURES--METAL DETECTORS AND/OR SECURITY PERSONNEL--AS THEIR ONLY STRATEGY TO PREVENT VIOLENCE.

--DO NOT TRAIN TEACHERS TO HANDLE INCIDENTS THAT OCCUR IN THEIR CLASSROOMS OR SCHOOLS, OR HOW TO REACT TO INCIDENTS OF VICTIMIZATION THAT MAY OCCUR OUTSIDE SCHOOLS.

- O WHILE THERE IS A NEED FOR MORE RESEARCH AND EVALUATION ON EFFECTIVE VIOLENCE PREVENTION PROGRAMS, WE KNOW THAT THERE ARE SOME MODELS THAT HOLD PROMISE, SUCH AS CONFLICT RESOLUTION, PEER MEDIATION, INTERPERSONAL SKILLS ENHANCEMENT, MENTORING PROGRAMS, AND AFTER-SCHOOL "SAFE HAVEN" PROGRAMS. THESE COULD BE EXPANDED AND PROMOTED.

- O WE KNOW THAT SCHOOLS CANNOT EFFECTIVELY ADDRESS PROBLEMS OF VIOLENCE ALONE. THEY NEED THE HELP AND SUPPORT OF THE ENTIRE COMMUNITY--FAMILIES, YOUTH, BUSINESSES, LAW ENFORCEMENT, PUBLIC HEALTH AGENCIES, AND ORGANIZATIONS THAT SERVE YOUTH. THERE IS A ROLE FOR EVERY SEGMENT OF THE COMMUNITY, AND, IF WE ARE TO BE SUCCESSFUL IN ENDING VIOLENCE, WE MUST ENSURE THAT ALL GROUPS ARE INVOLVED IN THE PROTECTION OF OUR CHILDREN.

IN CONCLUSION, MR. CHAIRMAN, WE LOOK FORWARD TO WORKING CLOSELY WITH YOU TO SHAPE FEDERAL POLICIES THAT SUPPORT THE GROWTH OF

HEALTHIER, SAFER, AND BETTER-EDUCATED CHILDREN. TOGETHER WE CAN
CREATE AN ENVIRONMENT THAT MAKES IT POSSIBLE FOR OUR CHILDREN TO
GROW AND LEARN TO THEIR FULLEST POTENTIAL. THANK YOU FOR GIVING
ME THE OPPORTUNITY TO EXPRESS THE COMMITMENT OF THE DEPARTMENT OF
EDUCATION TO THIS IMPORTANT ENDEAVOR.

Chairman KILDEE. Thank you very much, Governor, for your testimony.

It just occurred to me while you were testifying that in that very same spot several years ago Bill Bennett used to testify. And he was always crying over the amount of money that we were spending on education without any measurable improvement.

As a matter of fact, he indicated from time to time that education had declined. And it just occurred to me as we were discussing this today that much of the money that we have spent on education has been, of course, for societal reasons rather than for educational reasons. This is certainly a good bill. And I certainly want to move it along.

Very often the problems of society reach into the schools. And many of the dollars we are spending under Function 500 of the Budget probably should be under another function of the budget, because they are not directly educational as they are societal.

So I think we have to keep a different ledger of what we are spending on education; what is really directly educational and what is societal so we won't have the Bill Bennetts adding up all the dollars that we are spending. I say that because in my district there is an area where we are trying to do some significant things and we are trying to get the parents more involved.

One of the real problems is the parents are afraid to leave their home at night after dark, in the wintertime particularly, to come to the school building. Those are the neighborhood's societal problems that really have to be addressed.

I think many of these problems here where crime enters into the school, we have to get out into the street too and see what we can do in the street because we have very often isolated people in their homes because they are afraid to leave their homes.

I appreciate your testimony. Let me ask you one question. I know that you have to catch a plane, and I appreciate you coming early so that we could hear you.

Other Federal agencies, like the Office of Juvenile Justice and Delinquency offered related bills last year. What does the administration plan to do to coordinate programs?

Is there a way in this legislation that we can facilitate that Federal agency coordination?

Ms. KUNIN. You raised a very good point. Let me offer a comment on your other observation about how do we draw the line between pure education and fixing social ills. I just don't think we can anymore.

I think the two are interwoven and we have no choice but to go do the repair work within the school system, because often that is the only place that is stable and the only place where children and parents can go for some sense of security and continuity and safety.

Chairman KILDEE. I happen to agree with you on that, too. I think that to the degree that we can make that school a place of security, is very important. Maybe that will spill out into the community, too. I think it goes both ways, but I think we have to recognize that societal problems have become educational problems and we have to address those.

Continue.

Ms. KUNIN. We agree. And in regard to coordination, we are reaching out on a regular basis to the Department of Justice, with Health and Human Services and within the Domestic Policy Council; the Secretary also has an opportunity to interact with all the participants who have some effect on these issues. And I know that Attorney General Janet Reno is very concerned about violence issues, has talked to us about coordinating our efforts and we will do the same thing with Secretary Donna Shalala.

Chairman KILDEE. Very good. I appreciate that. I am going to move to Mr. Gunderson.

Mr. GUNDERSON. Thank you, Mr. Chairman.

And, Madam Secretary, it is a pleasure to have you back in front of our group.

Ms. KUNIN. Thank you.

Mr. GUNDERSON. As you know, having had either the honor or the dubious duty of coming to my district as you have already done, you will note that we have a rural influence on this issue of school safety as well.

I thought I would read to you part of the testimony of Michael Beard who is coming up later where he indicates he quoted Paul Kingery, a Texas A&M researcher, who reports that rural students are twice as likely to carry a gun to school as the national average.

I bring that up because if you have a concern about the legislation that is introduced, the formula seems to suggest that we are going to focus this money on large urban areas and I am not against large urban areas. I just want to make sure that the rural areas that have a problem get their fair share as well.

Is there some way that we can modify or you could work with us to make sure that Vermont, Wisconsin, qualifies?

Ms. KUNIN. Congressman, you certainly touched a spot in my heart when you mentioned Vermont. And I understand the rural problems and I was pleased to be in your district and see the similarities.

I think that you are right that sometimes the violence questions are more disguised or not quite as blatant but that doesn't mean that they don't exist. The policy behind this legislation is to go target the funds where the evidence is most powerful in terms of demonstrating need.

Now, in the regulatory process, I presume, we can take that into consideration that rural areas certainly be given their equal opportunity to compete for these grants. I would be happy to sit down with you or have our staff talk to your staff as to how we might accommodate that.

Mr. GUNDERSON. Good. Thank you.

Chairman KILDEE. Mr. Miller.

Mr. MILLER of California. Thank you, Mr. Chairman. And thank you, Governor, very much for being here and lending the voice of the administration to this problem that concerns so very many of us. And I am quite enthusiastic about the attention that the administration is giving this problem.

I guess the one question I might have is in the discussions on this topic of violence and the concern of violence, the extent to which it not only is dangerous for children in the schools and the victims of that violence, but also the extent to which you have a

relatively limited number of students able to disrupt an entire school and classroom and clearly the ability to engage in the educational process.

I just wonder, if you can, if you can expand on the discussions that might be taking place within the administration about that. And I guess what I am asking is there discussion that some bright lines have to be set down about behavior and the results of that behavior if you transgress those lines?

Ms. KUNIN. Well, you pose a very interesting question: how much is the violence due to some either confusion or nonclarity about expected behavior in school and how much is it simply indigenous to our society? I think what we would hope would happen as a result of this legislation would be that schools would develop clear policies and plans.

As you know, it is not up to the Federal Government to dictate what those should be. But I think children, at least judging from my experience as a parent, I think children do better when expectations are clearly defined and the rules are set down.

And I think in some areas it is possible that they have felt so much under a state of siege that they have lost control of that. So we would hope that with community support that the school could, with the involvement of students, with the involvement of teachers and the administration, really define what is acceptable and not acceptable behavior and have some consequences for that.

But I think it would also be too simple to say that would solve the whole problem. I think we have to realize that the situations that many children come from—you know, when there is violence in the family and you grow up with it, when you see violence on television, when you see violence on the evening news every night—it is not surprising that one would model that kind of behavior.

So I think we have to use every strategy available to try to turn this trend in the opposite direction. But clearly school plans, school policies, school discipline, are part of the solution and an important part.

Mr. MILLER of California. Well, my concern is, and I know you have a time problem so I won't belabor the point, but my concern is that in many of the schools that are plagued by an atmosphere of violence on almost a continuous basis are populated with hundreds of kids that come from the same environment but have not chosen to act out in a fashion, and they, in fact are being disrupted. We are talking about some of the poorest kids from some of the most environmentally deprived in our districts and they are being affected by students who are free to come and go on the school campus for a whole lot of complex reasons, sometimes because courts order them back on the campuses and you are right, the Federal Government can't tell school districts what the policies are going to be.

But the Federal Government if it is going to give grant money can say what it expects the outcome of that grant money to be, that there be clear-cut definitions and lines. I am concerned that we have succumbed to the notion that a few students are going to rule the schools to the detriment of the faculty and the employees and the students who desire an education.

Ms. KUNIN. I agree with you and what you may be referring to is the criminal justice system and how it deals with juvenile offenders. Of course that opens up another question. I think to have a strategy you have to involve the criminal justice system.

Mr. MILLER of California. I think I am referring—in some ways I just think we have got to decide at what point do people forego the privilege of education in this country. And I have spent most of my adult public life fighting expulsion policies because of discriminatory impacts, but I have come to the decision that we have got to decide what the institutions of education, the purpose for which they exist and to protect that purpose for the vast majority of students that I think want to take advantage of it, and I think we are dancing around those very fundamental questions.

And as we watch more and more parents resolve that issue by themselves and pulling their children out of the school systems seeking safety or what have you or better educational atmosphere, we have to ask the question what is the role of government on behalf of the taxpayers that are paying the bill about when is this a privilege and when is this a right and when are both of those abused.

Ms. KUNIN. Well, you raise a very powerful issue. And we will certainly incorporate it into our own thinking as we go forward and address this question. One possibility is alternative schools, I guess, what people hate to give us. Because you realize if the child or young adult is out of school, they are on the street and will still have an impact in terms of the safety of the community. And I am sure the effort is very strong to keep that child as much attached to some kind of social structure as possible but there must be a point—

Mr. MILLER of California. I understand that argument but there was a quote after a tragic event in New York that many of the young people engaged in violence only come to school to eat their lunch, to get out of the rain, to see their girlfriend, or to kill or hurt somebody. And I question whether that individual ought to really have access to the campus at that point.

Thank you very much.

Ms. KUNIN. Thank you for those comments. I guess it is hard for us to visualize until we get there the extent—the vehemence of that kind of situation and I appreciate you raising it for us.

Chairman KILDEE. Mr. Goodling.

Mr. GOODLING. Nothing at this point.

Chairman KILDEE. Governor Romero-Barcelo, did you two serve contemporaneously as governors?

Mr. ROMERO-BARCELO. I don't think so. I served from 1976 to 1984.

Ms. KUNIN. I took office in 1984. Ships passing in the night.

Mr. ROMERO-BARCELO. Governor, can you think if you were asked to indicate what steps would be taken in a school where there is violence every day, what would be your suggestion to the first steps that should be taken and what are the most effective measures to control the violence in such a school?

Ms. KUNIN. Well, it may vary from school to school so that it is hard to have one recipe that would work everywhere. But our expe-

rience in reviewing the literature is first of all to see—to have a policy that is more than punitive.

For example, to have programs that teach children conflict resolution, peer counseling, to engage the community working very closely with law enforcement officials and the judicial system, and with clergy and to also—I mean from a very practical point of view, the Safe Haven Program seems to actually be one of the things that work; just providing an alternative place for children to be, both to be protected and to keep them from hurting anybody else.

If they are engaged in activities that they enjoy and interest them and are simply kept off the streets, then that seems to work. But frankly, we don't know all the answers. If we did, we would be happy to prescribe them. And I think in the testimony that follows mine, you will hear from more of the experts.

And I think we are all really looking for model programs that we say can work. On the one hand you say, well, it is all of society and then you sort of give up, because we obviously can't change all of society. And then you go back and you sort of look at the microcosm of the school and say let us at least try to make the school a safe place. And I think that is the point of view that is most useful for the short term; to make that school a safe haven where children can seek refuge.

Mr. ROMERO-BARCELO. One of the issues that teachers always bring up is that they don't have the authority or the school doesn't have the authority to really discipline or to keep a student out of school, that the courts intervene when they take action, and that they lose their moral authority.

What is your reaction to that? How would you address those issues?

Ms. KUNIN. Well, I think the only answer to that is to sit down with some of the leaders in the judicial system and open those kinds of dialogues. You obviously can't influence it case-by-case. But I think it is important for the judicial system and the law enforcement system to understand the perspective of the teachers and what teachers are coping with today.

I mean it is not only physical abuse. There is also verbal abuse. There is just a loss of respect for any authority figures. And I think that many children simply haven't learned the basics that teachers are to be honored, that adults are to be treated with deference. They simply have not learned that at home. Sometimes we have to teach the very fundamentals and sometimes it may be too late and the only answer is to say this is unacceptable, that kind of behavior will not be tolerated in the school.

Mr. ROMERO-BARCELO. Then the judges will tell you how the laws that protect the students' right to study also binds their hands and that they cannot support the dismissal from the school because that student is now being deprived of his opportunity to get an education and they feel that that other right has to be protected.

There is nothing that—the law should have—should strengthen the right to a safe environment as a right for the students vis-à-vis the right of the other troublemakers to study. And unless we have the law providing for the protection of the students and giving them a right to a safe environment, the courts will always end up

destroying what the schools tried to do when they disciplined the students when they try to keep them out of school.

And they will enjoin the principal and force them to accept that student in school and say you have to take the safety measures. The judge is sitting comfortably in his bench and he is not the principal of the school and he doesn't have to deal with the situation every day. And they say you have to deal with that situation and this child has the right to study, even though he is a real troublemaker.

Ms. KUNIN. You raise a tough question. And I wish I had an answer, but I really do not.

I think what is difficult to draw the line between is that student who is a troublemaker and will grow out of it if you find a program or a mentor or something that that student can change, to draw the line between that type of opportunity, and a student that is a hardened criminal. And I think young people are obviously capable of that, tragic as that is.

And I guess the system always gives a young person in particular the benefit of the doubt, because we still believe that particularly when you are young, you are capable of redemption.

Mr. ROMERO-BARCELO. May I suggest that we should perhaps look into the possibility of having in the school districts or in a larger area what you used to call correctional schools, some special schools where if a student is determined to be a troublemaker he can be kept out and he is referred to that other school where they specialize and they have special authority to handle the troublemakers?

Ms. KUNIN. There are, as you know, a wide variety of alternative kinds of schools springing up. All male, all female. Schools with uniforms, schools with a more paramilitary kind of discipline which may be effective for certain kinds of students. I think we have to explore those alternatives.

Not every child can learn in the existing school structure. And I think we can't always blame the child on that. Sometimes we have to be more flexible and say what works? And hope that an alternative will keep that child interested and away from criminal behavior. And that is the theory that we are operating under. It doesn't always work but hopefully we can save some of those students from lifetimes of incarceration.

Mr. ROMERO-BARCELO. Thank you.

Chairman KILDEE. Mr. Goodling.

Mr. GOODLING. I came in late, so I will just indicate that I think until we get back to the system I used to use where I listened to the student the first time they came, they listened to me the second time, and the third time there was no talking.

And until we get back to that, both teachers and parents, I don't know that much is going to change, no matter how much we spend. Which brings me to my question: where does the money come from?

Since I just got the horrible news that apparently appropriations has taken \$100 million from Chapter 2, the one program that we have going out there helping school districts to reform and helping train and retrain teachers, so I was wondering where we are going to take this money from?

Ms. KUNIN. Well, it is in the administration's budget recommendation for 1994 as part of the investment package. Now, we realize, as you do, that the whole budget is being reviewed and scrutinized and pared down once again. But we feel very strongly that this is an area of the budget that should be funded. And, you know, what you match it up against, of course, is another much more difficult question. But we certainly hear a very strong plea from schools that we can't deal with learning in our schools unless we get some help in dealing with violence.

Mr. GOODLING. Well, when we get the metal detectors and we have the policemen there—well, I was wondering whether the policemen will have any more opportunities, or the guards I guess they are called, any more opportunity to discipline than the teacher and the administrator does in most school districts.

Ms. KUNIN. Well, it is a very tough question. As I indicated in the testimony, there is a limit as to how much money in any grant will go to such areas as security guards and metal detectors. That is one-third of the grant, and the rest has to be used for other prevention kinds of strategies like peer counseling and mediation skills.

Mr. GOODLING. I have no other questions. Just good luck.

Chairman KILDEE. Thank you. Mr. Reed.

Mr. REED. Mr. Chairman, I just want to congratulate Governor Kunin and Secretary Riley for approaching this issue. I think there are more questions than answers at this point, but this approach of reaching to real communities and addressing local initiatives is I think a practical and principled way to deal with the problem.

Thank you.

Chairman KILDEE. Mr. Roemer.

Mr. ROEMER. Thank you for coming before the committee for yet another session to initiate in our committee one of the President's top concerns, that of educating our children and providing good opportunities for them.

We talk about opportunities but there are no opportunities for our children when they are not in safe environments, when they can't get to school, when they can't learn in school, when teachers can't teach in a safe environment. When I was in school and somebody would talk back to a teacher or somebody was bad and the bus driver would threaten to kick somebody off the bus if they weren't behaving; that has gone full circle now and children are getting shot and murdered in schools and teachers are being threatened with violence.

In Chicago's schools, Chicago police are being paid out of the education budget to patrol the hallways and they are in schools all day long. This is a very, very serious and severe problem. And one which I, again, salute you and Secretary Riley and President Clinton for tackling and attempting to address with integrated solutions.

I am not sure exactly what all the solutions are. I am very, very anxious to work with you. I am concerned that we continue to take money away from the Function 500 account for some very, very good ideas; National Service which I am a cosponsor of and very supportive of will probably come out of Function 500.

I think we all need to fight, not just on this committee but with the appropriators to get more money for this function so that we can tackle this problem. I look forward to working with you on those problems. It is a function to some degree of some money being attached to reform, although money is not the only solution.

And again I would like to thank you for your time and look forward to working with you and look forward to coming up with some answers with you on this funding problem.

Ms. KUNIN. Thank you very much. And we certainly welcome any suggestions from your own experience in your own district. And that of course holds true for the entire committee. None of us have all the answers. We have lots of questions but we welcome any information, advice, and counsel that you can give us in moving forward in this area.

Chairman KILDEE. Madam Secretary, Governor Kunin, I sometimes don't know which title to use. Governor, is a great honor in this country. I appreciate your willingness to testify before this committee and your general willingness to meet with us individually. That is true of the entire Department.

We have great access to the Department of Education. And it has been very, very helpful. It is difficult when a new administration takes over and people are put in place. But the access with you and Secretary Riley has existed from the very, very beginning. And we certainly appreciate that and we have benefited from that.

We look forward to working with you and Secretary Riley as we work our way through this legislation, work our way through the School Reform 2000, which hopefully will be reported out tomorrow, and then the Elementary and Secondary Education Act, which hopefully, we will be reporting out sometime after the July 4 break. But we appreciate that access which you have played a major role in providing. And unless you have some closing statement, we will let you go now. I know that you have many other things to do throughout the country.

Ms. KUNIN. Thank you. We welcome this opportunity. I am going to Chicago. And we will be meeting with some school officials there as well, but we want to continue that access and that dialogue and expand it and look forward to working with you.

Chairman KILDEE. Thank you very much, Governor.

Our next panel consists of Dr. Bernard James, Professor of Law, Pepperdine University, Malibu, California; Michael Beard, President, Coalition to Stop Gun Violence, Washington, DC; and Douglas C. Holmes, Director of Student Services, Fairfax County Public Schools, Falls Church, Virginia.

My three children spent many years in the Fairfax County public schools.

And Mrs. Susan Cooper, Instructional Aide, Head Start Program, Alexandria, Virginia.

If they would come forward, please.

Dr. James?

STATEMENTS OF BERNARD JAMES, PROFESSOR OF LAW, PEPPERDINE UNIVERSITY, MALIBU, CALIFORNIA; MICHAEL BEARD, PRESIDENT, COALITION TO STOP GUN VIOLENCE, WASHINGTON, DC; DOUGLAS C. HOLMES, DIRECTOR, STUDENT SERVICES, FAIRFAX COUNTY PUBLIC SCHOOLS, FALLS CHURCH, VIRGINIA; AND SUSAN COOPER, INSTRUCTIONAL AIDE, HEAD START PROGRAM, ALEXANDRIA, VIRGINIA

Mr. JAMES. Good morning, Mr. Chairman, and members of the committee. I am delighted to be with you in part on behalf of the National School Safety Center, but more in response to an invitation by the Chairman. We are delighted to be here in response to an invitation by the Chairman to comment on the features of this Act and some of the larger problems, many of which have been discussed already in the remarks of the Secretary.

The stories of the growing campus crime crisis are by now almost legendary in proportion. For purposes of my remarks, and I will keep them brief, hoping against hope that we will have a chance to discuss some of the same issues that have been already banded about with the Secretary, but for purposes of this testimony I am assuming some familiarity with the folklore as well as the statistical reality of what is now being called around the country the "school safety problem."

The components of the school safety problem are fairly easy to characterize. Classroom insubordination that often compromises teacher objectives and creates a climate of distraction and intimidation is now far too commonplace.

There is a laughable case decided in the courts of a State recently where a teacher of a middle school learned after beginning class that a student had brought a gun to class. He approaches the student and asks the student to give him the gun.

I sometimes act this out. The demonstration of doing so drives home the nature of scenarios like this.

The student refused. The teacher decided that the best approach would be to resume teaching class as though nothing had happened. At the end of the class one of the administrators from the school also being notified that there was a gun in class went to the classroom and a scuffle ensued where the weapon was taken from the student with some harm being done to the administrator, but thankfully no serious harm.

Well, there is a clause in every teacher's contract that when you do stupid stuff you can be summarily discharged and that is precisely what happened to this teacher, although the teacher sued for reinstatement and won. The judge cited the fact that in large part the teacher was improvising because there was no safety planning and no training that equipped the teacher to respond to this and how could the stupid stuff clause be invoked in a case where the teacher was improvising?

It is far too commonplace. And violations of the campus code of conduct has resulted in glorification of antisocial and disruptive behavior in our schools.

A third component of this school safety problem is that violations of our criminal laws that usually reflect our community standards of decency have brought now violence and drugs to our campuses in such a way that the juvenile justice-system has become an invol-

untary partner in our education system. One useful characterization of the school safety issue for purposes of discussing this Act with you is to view it as an engineering problem. It is a crisis of efficient delivery of resources, I think.

Everyone agrees that campuses need to be made safer. Everyone agrees that more effective utilization of resources is the challenge that stands in the way of success in this regard.

Most productive discussions, including the one you just had with the Secretary, focus on how to deliver safe campus solutions where they are needed most, a key feature of this fact when they are needed most, and at a cost that realizes the greatest benefit.

But within this hypothetical consensus on the need to make campuses safe, there also appears to be an agreement on the solutions. And I am focusing you on the nature of solutions that are proactive and long-range solutions that stop short of drastically altering the traditional campus environment.

I think we have the attention of most administrators and school districts around the country. None of them want to continue to operate in a reactive mode without some accurate way of assessing the nature and climate of their campuses.

I don't think any administrator wants to maintain a reactive posture in crisis situations that now with data and with the resources available through local and also Federal Government, specifically the programs of the Justice Department and OJJDP, are now predictable and preventable with proper resources and training.

And so, Mr. Chairman, I am delighted to appear today and add my thoughts on the discussion of how best to accomplish the objectives set forth in the Classroom Safety Act of 1993.

I am actually to the point of concluding, believe it or not.

The stated purpose of the Act is to provide assistance to local educational agencies for the prevention and reduction of violent crime in schools throughout the Nation. The proactive solutions of which I speak produce safe and effective campuses without disrupting classrooms and without encroaching upon and sacrificing educational objectives in order to create the impression of safe schools.

Some schools are better equipped for achieving this goal than others. Frankly, some are out of control and even the superintendent and members of the local board admit it when we place airport-style metal detectors at the entrance of their schools. But this Act should be viewed more as a training tool, a way of facilitating training.

Most school professionals, administrators on local campuses are neither trained to recognize the warning signs of an unsafe campus so as to deliver proactive solutions but neither are they equipped to deliver solutions outside the traditional vacuum that once accurately described the world of a public school administrator. Fiefdom is a word that comes to mind to characterize that historical environment.

But now we are experiencing a crisis of effective administration in our public schools. People at the National School Safety Center and road warriors I have met through OJJDP at the Justice Department—I must admit that I have accumulated enough frequent flyer miles to vacation comfortably if I ever get the time just looking at this problem.

What I mean is that on the legal side, there are—well, lots, probably more than a lot of us think of good law that can be brought to bear on the campus safety problem. This Act could facilitate model training and programs that will help bring administrators to that good policy, to that good legal water and force them to drink.

The database of this law that I revisit often in my law school classes and increasingly with local school administrators includes cooperation with probation agencies of the conditions placed on serious habitual juvenile offenders; one of the key answers to what to do with the small percentage of juveniles that are put back on our school campuses on condition of probation, often without alerting the school administrators as to who they are, what they are supposed to do in the way of conditions.

Those juveniles don't have rights to attend our campuses. As criminals in the adult criminal justice system who have been adjudicated and whose fate is placed in the hands of judges who often incarcerate but also place conditions upon their behavior and release them, these serious juvenile offenders can be controlled far more easily than the juveniles who are in the larger category of our school population against whom no adjudication has been made.

School officials need to know that they can get involved in the discussion of what the conditions of release are so as to make it easier to control those people on campus. Short of that, I think placing them in an alternative setting or I think your worst-case scenario of suspension is a good idea. But there is good law on that. And I think that this Act should be seen as a way of bringing together policymakers with the law.

This law includes reasonable suspicion training that has been announced by our U.S. Supreme Court to help school administrators to respond, to identify youths who are suspected of violating the law. This good law includes custodial interests controls that permit school officials to limit access to the school facility so that contraband and other items that are found can be confiscated and discouraged.

It includes forum-based speech controls to insure that the educational climate is preserved and keeps speech activities away from violent associational groups of students such as gangs to preserve the school climate against these students. It also includes some of the model programs with which you all are familiar.

The gang-free, drug-free, weapons-free school zones that many schools have taken the initiative on and are promoting.

But we have known all along that what makes good law does not always make good policy. And this, I think, accurately describes what is happening at the local level with the school safety problems.

There are a lot more variables that come to bear when a real school administrator decides to implement one of these tools of good law. And I think we have reached the point in public education where those in charge of policymaking need our help to develop these skills to control the variables of local policymaking so that they go beyond placing metal detectors in schools or in the hands of school peace officers who randomly scan our children, creating a generic suspicion which I think is responsible for most of our parents taking their students out of public school campuses.

In my printed remarks I have included specific strategies that I think should be considered, many of which the Secretary has mentioned and I hope will become part of the discussion in this area.

I thank you for the invitation. I would like to respond to any concerns or questions that you have.

Chairman KILDEE. Thank you, Dr. James.

Mr. Beard.

[The prepared statement of Mr. James follows:]

HOUSE COMMITTEE ON EDUCATION AND LABOR

CONGRESSIONAL TESTIMONY

June 22, 1933

Bernard James
Professor of Law

Bernard James is Professor of Law at Pepperdine University School of Law in Malibu, California. Professor James teaches courses in Federalism, Individual Rights, First Amendment and State Constitutional Law. Professor James serves as the Special Counsel to the National School Safety Center, a partnership between the United States Departments of Justice and Education and Pepperdine University. He is also a consultant and instructor for OJJDP programs within the Department of Justice. He is the California Chairman of the National Organization of Legal Problems in Education (NOLPE) and is a member of the faculty of the National Criminal Justice Institute at the University of Louisville.

The stories of the growing campus crime crisis are, by now, almost legendary in proportion. For purposes of this testimony, I will assume some familiarity with the folklore as well as the statistical reality of what is now being known nationally as the "school safety problem" in America. The components of this phenomenon are easy to characterize.

1. Classroom insubordination that often compromises teaching objectives and creates a climate of distraction and intimidation;
2. Violations of the campus code of conduct that usually results in the glorification of antisocial and disruptive behavior; and
3. Violations of community standards of decency that bring to our campuses violence and drugs in such a way that the juvenile criminal justice system has become an involuntary partner to our education system.

BEST COPY AVAILABLE

1993 H.R. 538 Testimony

Bernard James

Page 2

One useful characterization of school safety is to view it as an engineering problem. It is a crisis of efficient delivery of resources. Everybody agrees that campuses need to be made safer. Everyone agrees that more effective utilization of resources is the challenge that stands in the way of success on this regard. Most productive discussions end up focusing on how to deliver safe campus solutions where they are needed most, when they are needed most, at a cost that realizes the greatest benefit.

Within this hypothetical consensus on the need to make campuses safer there also appears to be agreement on the nature of the solutions. Proactive, long range solutions that stop short of drastically altering the traditional campus environment are preferred. No school district in the country wants to continue to operate in reactive mode without some accurate way of assessing the climate on their campuses for producing the type of crisis that randomly hits urban, suburban and rural schools today. No administrator worth their framed diploma wants to maintain a reactive posture to crisis situations that to some extent today are predictable and preventable with proper resources and training.

And so I am delighted to appear today and add my thoughts to the discussion on how best to accomplish the objectives set forth in the "Classroom Safety Act of 1993".

The stated purpose of the Act is to provide assistance to local educational agencies for the prevention and reduction of violent crime in schools throughout the Nation. The proactive solutions of which I speak, produce safe and effective campuses without disrupting classrooms and without encroaching upon and sacrificing educational objectives in order to create the impression of safe campuses. Some schools are better equipped for achieving this goal than others. But there is a rotten root common to safe schools planning that makes this legislation imperative.

Most school professionals are neither trained to recognize the warning signs of an unsafe campus so as to be proactive and vigilant, nor are they equipped to deliver solutions within the traditional vacuum that once accurately described the world of a public school administrator.

1993 H.R. 538 Testimony

Bernard James

Page 3

The fact of the matter is that we are experiencing a crisis of effective administration of our public schools. The policy side of the safe schools equation no longer adds up. There is a lot more than anyone realizes--of good law that can be brought to bear on the campus safety problem. Both state and federal laws provides a variety of tools to apply to campus disruptions by delinquent youths and trespassing adults. The data base of law--revisited often in my law school classes and increasingly with local school administrators includes:

1. Coordination with probation agencies of the conditions placed on serious habitual offending juveniles [SHOJ] who are released by juvenile courts and placed on campus as a condition of probation;
2. Reasonable suspicion tools that allow searches of identified youths (not having been adjudicated and under court ordered probation) who are suspected of violating the law;
3. Custodial interest controls that permit school officials to condition access and use of campus facilities by the student body generally so that contraband and other items that are inconsistent with the education mission of the school district might be discouraged;
4. Forum-based speech controls to insure that the educational climate is preserved against expressions of violence and disrespect; and
5. Gang-Free, Drug-Free, and Weapons-Free School Zones and similar programs.

But we have known all along that what makes good law may not make good policy. In fact, we have now reached the point in public education where those in charge of policymaking need our help to develop skills to control the variables of local policymaking for school safety. The task goes far beyond simply placing metal detectors in the hands of school peace officers. This Act will be successful only to the extent that it offers comprehensive models for consideration and implementation at the local level and creates an incentive for educational professionals to fashion good policy--suitable for their local needs--in response to perceived campus crime problems.

1993 H.R. 538 Testimony
 Bernard James
 Page 4

In an environment where educators are now a critical mass of a much larger audience of public servants delivering services to our children, a comprehensive action plan is required that is interdisciplinary in nature and that relies on the strengths of the various agencies whose interest are affected by juvenile delinquency.

Specific Strategies to Consider

1. Every public school--elementary, middle and high school--should be required to develop a comprehensive safe schools plan. Schools need the support and participation of students, parents, community leaders and youth-serving professionals. A safe school planning model and demonstration process should be developed.
2. Formal establishment and support of the National School Safety Center. Presently, the Center is funded on an ad-hoc basis at the pleasure of the Attorney General and the Secretary of Education. A national center should be incorporated into the Act to promote and help implement school safety leadership strategies.
3. Development of teacher training component to provide teachers with the tools they need to effectively operate in the schools.
4. Conflict Resolution training.
5. Multicultural training.
6. Interagency cooperation that promotes sharing of information between educators and law enforcement about serious, habitual juvenile offenders so that the needs of the juveniles will not be ignored by school officials when they return to campus on condition of probation.

Mr. BEARD. Thank you very much, Mr. Chairman. It is a pleasure to be here.

On behalf of 37 national organizations and the 60,000 members, I thank you for the opportunity to testify.

As we know, over the past several years gun violence has increased dramatically in the schools throughout the Nation. From rural counties to inner-city school districts, gone are the days when schools offered children a safe learning environment free from the violence engulfing the communities.

Students and educators have responded to this crisis in a variety of ways. Even as educators scramble to find ways to reduce violence, many students have responded to legitimate fears by acquiring firearms, most of them say they are not afraid at school, but on the way to school. And they thereby inadvertently contribute to the increased level of violence.

Many instances of gun violence in schools are due to the unintentional firing of these weapons. There is no doubt, of course, that some students carry firearms in order to terrorize their classmates. This dichotomy simply mirrors society where the same is true, the good guys are armed to protect themselves from the bad guys in a self-escalating cycle of violence. There is one difference, due to lack of maturity, and experience, a teenager with a handgun is much, much more dangerous than an adult.

A 1990 survey conducted by the CDC found that every day one in 20 high school students carries a gun to school. Each day that translates into approximately 130,000 students across the country are bringing guns to school. There is no wonder that a recent Joyce Foundation report found that 29 percent of all parents believe that their children are not safe from violence in the schools.

Too often young people think that those shot by guns recover quickly like in the movies. The reality is different. Every day 40 schoolchildren are either killed or injured with firearms.

Those who survive firearms have a lifetime of rehabilitation to endure. The average cost of the treating a gunshot wound can rise to \$64,000. A good deal of those injuries require time to recuperate. Time that is lost forever from adolescence. Many of this young generation have been robbed of their youth.

They have seen their classmates killed and they hear the sound of gunshots and their innocence has been shattered and we are leaving a generation emotionally crippled by gun violence.

Too many are described by the title in Alex Kotlowitz's book: "There are no children here." The following examples come from the American School Board Journal.

A 12-year-old student allegedly fired five rounds of ammunition in the cafeteria of Hamilton Township Middle School during the lunch period. One student was shot in the head with a bullet from a .22-caliber revolver, which the police said the boy brought from home.

In Raleigh, North Carolina, a high school student was wounded in the leg when one of two .22-caliber pistols in his book bag accidentally fired in a classroom.

From Hammond, Indiana, a kindergarten student fired shots from a .22-caliber pistol into the school ceiling after he found the gun in one of his classmates' knapsack. The police said a 6-year-

old boy had found his uncle's .22-caliber pistol, put it in his knapsack and took it to school. The classmate reached in for a pencil, pulled the out gun, and pulled the trigger. The same day, Hammond police reported that they found a 7-year-old girl trying to sell a handgun in order to raise money to bail her grandfather out of jail.

In Chicago, an 8-year-old girl was shot in the back in her third grade classroom. During questioning, the police said the classmate who allegedly shot the girl asked, "Is this going to take long? I have something else to do tonight."

In Webster, Florida, an elementary school student brought his dad's gun to school because he was angry at the teacher and said he was going to shoot the teacher.

It is difficult to determine the effect this atmosphere of gun violence has upon learning. Certainly when one is frightened of being shot, reading, writing and arithmetic lose importance. Just the threat of gun violence can have a far-reaching effect on the growth of children. Although a child might not have been physically affected by the gun violence, he or she is forced to deal with the constant specter of gun violence.

Parents often unknowingly add to the problem. School security experts and law enforcement officials estimate that 80 percent of the firearms that students bring to school come directly from the home. According to the most recent Lou Harris survey, only 44 percent of the parents with children under 18-years-old who own a gun keep the gun safely locked. Parents have got to realize that owning a handgun, instead of protecting their children, endangers their children.

The measures taken so far to curb the flow of guns to schools has been largely ineffective. In the written testimony we go into the problems with metal detectors. Governor Kunin did also.

Suffice it to say that metal detectors are inefficient, ineffective and very expensive. But unfortunately, very little else has been proposed to prevent guns from entering the schools.

Only now are antiviolenace curricula being instituted into the school systems. Children need to learn at an early age how to deal with their aggressions without hurting others. Administrators and teachers are beginning to show students a nonviolent method of solving problems. Hopefully, these curricula will help mold a generation that turns to nonviolence to solve problems.

However, even these programs are doomed to fail if nothing is done to restrict the availability of handguns in society at large. All of the nonviolent training in the world can go out the window when a handgun is present. If we are serious about reducing the number of guns in the school, we are going to first have to reduce the number of guns outside the schools. All other approaches will be stop-gap measures that do not adequately address the problem.

Our coalition, and the 37 organizations, all endorse the Safe Schools Act, and have been pleased to work with the administration on the development of this Act. And we think that it is an important first step in dealing with this problem. And also, just to mention, that it is the violence in schools that prompted Senator John Chafee of Rhode Island to introduce legislation that would ban the sale and manufacturer of handguns nationwide.

What we need to realize is that school violence adversely affects every one of us. While there are arguably many problems with the American schools, little learning can take place if students are fearful of their safety or actually dodging bullets. Money for metal detectors is money not spent on schoolbooks.

Time spent in nonviolence training is time not spent learning to read or write. Before American schools can turn out world-class students capable of competing for jobs in a global marketplace, they must be, at minimum, made safe. And gun violence is not a problem in the schools of any industrialized country in the world.

The surest way to make our streets and schools safe is to make our society safe. And that is to reduce and restrict the availability of handguns and to restore some semblance of domestic tranquility to our schools, our homes, and our workplaces. The safe schools is a first step in that direction, but we have to do something to get these guns off our streets.

Thank you very much.

[The prepared statement of Mr. Beard follows:]

Michael K. Beard

On behalf of the 37 national organizations and 60,000 members, which comprise the Coalition to Stop Gun Violence, I want to thank chairman Kildee for offering us the opportunity to testify this morning.

Over the past several years, gun violence has increased dramatically in schools throughout our nation. From rural counties to inner-city school districts, gone are the days when schools offered children a safe learning environment free from the violence surrounding them.

Students and educators have responded to this growing crises in a variety of ways. Even as educators scramble to finds ways to reduce violence, many students have responded to legitimate fears by acquiring firearms and thereby inadvertently contributing to the increased level of violence. Many instances of gun violence in schools are due to the unintentional firing of these weapons. There is no doubt of course, that some students carry firearms in order to terrorize their classmates. This dichotomy simply mirrors society where the same is true--the goods guys are armed to protect themselves from the bad guys in a self escalating cycle of violence. There is one difference, due to lack of maturity and experience, a teenager with a handgun is much more dangerous than an adult.

Fear is not the sole reason youngsters bring guns to school as Edward Muir, director of school safety for the United Federation of Teachers, explains. "Certain neighborhoods just have a Dodge City culture in which every male, aged 14 and up, is seriously thinking about which handgun he ought to buy." (The American School Board 5/92) That mentality combined with the easy accessibility of firearms has placed a deadly obstacle in the already difficult path of obtaining a quality education in many American cities and towns.

A 1990 survey conducted by the Center For Disease Control found that every day 1 in 20 high school students carries a gun

to school. Each day that translates into approximately 100,000 students across the country bringing guns to school. (NEA) No wonder the Joyce Foundation reports that only 29% of parents believe that most children are safe from violence in the schools.

Every school day 40 children are either killed or injured by firearms. Those who survive firearm injuries often have a lifetime of rehabilitation to endure. Too often young people think that those shot by guns recover quickly like Hollywood stars in the movies. The average cost of treating a gunshot wound can range from \$559 to \$64,470 depending on the seriousness of the injury. Many of these injuries require tremendous time to recuperate, time that is lost forever from adolescence. Many of this young generation have already been robbed of their youth. They have seen their friends and classmates killed, shattering their innocence and leaving a generation emotionally crippled by gun violence.

The following examples are excerpted from the American School Board Journal, (May 1992) which had a partial listing of gun violence in our nations' schools.

** Obetz, Ohio: A 12-year-old student allegedly fired five rounds of ammunition in the cafeteria of Hamilton Township Middle School during lunch period. One student was shot in the head with a bullet from a .22-caliber revolver, which police said the boy admitted taking from his home. Sheriff's deputies reported that they believed the two youths had been arguing before the shooting.

** Raleigh, N.C.: A high school student was wounded in the leg when one of two .22-caliber pistols in his book bag accidentally fired in a classroom.

**Hammond, Indiana: A kindergarten student fired shots from a .22-caliber pistol into the school ceiling after finding the gun in his classmate's knapsack. Police said a 6-year-old found his uncle's .22-caliber pistol, put it in his knapsack, and took it to school. About 2 p.m., a classmate reached into the boy's pack for a pencil, pulled out the gun, and pulled the trigger. The

same day, Hammond police reported that they found a 7-year-old girl trying to sell a handgun to raise money to bail her grandfather out of jail.

****Chicago:** An 8-year-old girl was shot in the back in her third-grade classroom. During questioning, police said the classmate who allegedly shot the girl asked, "Is this going to take long? I have somewhere to go tonight."

****Webster, Florida:** A first-grade student was expelled after firing a derringer on school grounds and later threatening to shoot a teacher who scolded him. According to news wire reports, the boy's parents said the youngster obtained the gun by stacking stereo speakers and furniture on top of each other so that he could reach the weapon atop a 7-foot-tall cabinet; the parents also said the youngster found bullets elsewhere and loaded the gun himself before heading for school.

****Longview, Texas:** Three Longview High School students, including two bystanders, were wounded in the school's locker area when a simmering argument over a girlfriend broke out in gunfire. According to police, the two 17-year-olds in question had threatened to harm each other earlier in the week and had come back to school armed with a .25-caliber semiautomatic and a .22-caliber revolver.

It is difficult to determine the effect the atmosphere of gun violence has upon the learning of each student. Certainly when one is scared of being shot, reading, writing, and arithmetic lose some of their importance. Speaking about the ground-breaking new Lou Harris poll, Deborah Leff, president of the Joyce Foundation, reported that: "Parents say many of their children can't concentrate in school, that they're afraid to go outside, that their entire quality of life is lessened because there are so many guns out there. We have to find a way to put a stop to the killing and to focus on prevention." Just the threat of gun violence can have a far reaching effect on the growth of children. Although a child might not be physically affected by gun violence, he or she is forced to deal with the constant specter of gun violence.

Parents often unknowingly assist in potential injury and death. School security experts and law enforcement officials estimate that 80% of the firearms students bring to school come from the home. (The American School Board 5/92) According to the Lou Harris survey, only 44% of parents with children under 18 years old who own a gun keep that gun safely locked. Parents need to realize that owning a handgun instead of protecting their children endangers them.

As I noted earlier, gun violence in schools is not a problem confined to our large cities. Paul Kingery, a Texas A&M researcher, reports that rural students are twice as likely to carry a gun to school than the national average. (American School Board 5/92) A general rule of thumb explaining gun violence in schools is that where there are guns and youth, there will be guns in school. Seeing how guns are omnipresent in our society, ridding our schools of gun violence appears to be an uphill battle.

The measures taken so far to curb the flow of guns in schools have been largely ineffective. Metal detectors, both hand held and walk through, provide little resistance to a determined student bent on wreaking havoc. "If you think you've solved the problem by putting a metal detector at the front door, you're kidding yourself," says Larry Burgan, security director for the Baltimore City Schools. Metal detector searches are incredibly time-consuming, especially considering that to be entirely effective, hundreds and even thousands of students must be processed through a single checkpoint. Most schools lack sufficient funds to purchase more than one walk through metal detector. In a school of 1,000 students, an inordinate amount of time can be spent searching the students, before classes even begin. Metal detectors are both inefficient and ineffective, but little else has been proposed to prevent guns from entering the school.

Only now are anti-violence curricula being instituted in school systems. Children need to learn at an early age how to

deal with their aggressions without hurting others. Administrators and teachers are beginning to show children non-violent methods of solving problems. Hopefully, these curricula will help mold a generation that turns to nonviolence to solve problems. Time will tell how successful these programs are, but the need for youth to understand the benefits of nonviolence is growing. These times are particularly urgent, because arguments which were once settled by fistfights on the school playground are now being settled with firearms.

However, even these programs are doomed to fail if nothing is done to restrict the availability of handguns. All the non-violent training in the world goes out the window when a handgun is present. If we are serious about reducing the presence of guns in schools, then we must first reduce the number of guns outside schools. All other approaches are simply stopgap measures which do not adequately address the problem. I will not go into specific pieces of legislation except to mention that concern over violence in schools prompted Senator John Chafee (R-RI) to introduce legislation that would ban the manufacture and sale of handguns.

What we need to realize is that school violence adversely affects us all. While there are arguably many problems with Americans schools, little learning can take place when kids are fearful of their safety or actually dodging bullets. Money for metal detectors is money not spent on school books. Time spent in non-violent training is time not spent learning to read and write. Before American schools can turn out world class students capable of competing for jobs in a global market place, they must at a minimum be made safe. Let me assure you that gun violence is not a problem found in schools in other industrialized nations.

The surest way to make schools safe and to make society safe, is to reduce the availability of handguns and restore some semblance of domestic tranquility to our schools, homes and workplaces.

In conclusion, I want to thank Desmond Riley, who has volunteered in our office the past several months researching and writing a report on "Kids and Guns" from which much of my testimony today is excerpted.

Chairman KILDEE. Thank you very much.
Mr. Holmes.

Mr. HOLMES. I appreciate the opportunity to address the committee for the Fairfax County public schools and I appreciate the fact that the Chairman is familiar with the school system. We take great pride in the accomplishments of our students and we are fortunate to have many students that are advantaged. Unfortunately, we are a school district which has had rising incidents of school violence and we are concerned with student discipline problems.

I want to put this in perspective. Fairfax county has a median family income of \$73,000. Of the high school graduates in Fairfax County last year, 94.4 percent went on to postsecondary education and 76.7 percent of the graduates went to 4-year colleges and universities. Our dropout rate is 1.8 percent.

But during the 1991-1992 school year, 37 students were considered for expulsion by the school board, double the average from the preceding 5 years. Fifty-one percent of those cases were cases involving guns. That is more than double the number occurring for the preceding 5 years.

In the current school year this year we have had 60 cases, a 62 percent increase over the preceding year. Fifty-nine percent of those cases involve weapons, 42 involving guns.

So you can see that within a school district as fortunate as ours this is still a problem that touches us. Total student suspensions in the county schools have gone up 36 percent over the preceding 5 years and there is an age shift. More students are now suspended at middle school level than at the high school level; 12.9 percent of our middle school students are being suspended, up from 8 percent in 1988. Middle school students account for 47 percent of all suspensions for fighting and 58 of all suspensions for assault.

This is a communitywide problem. The juvenile court in Fairfax County saw a 53 percent increase in simple assaults and 100 percent increase in serious personal assaults and a 114 percent increase in weapons violations and 10 percent of violent offenses are committed by individuals between the ages of 8 and 12.

I do have to point out that the Virginia General Assembly has enacted several bills which help school divisions deal with the problems and address some of the issues that other speakers have spoken to. Our local problems, we recognize, are part of a national problem subject to the same forces as urban and rural school districts. No one is operating alone in addressing the problem. And as Fairfax County is changing demographically, the problem of youth violence covers all ethnic and socioeconomic levels. This is not just typical of one group of students.

I do want to share what we have been trying to do. In 1992, the Youth Violence Committee was formed. That is a cooperative effort between the schools, juvenile court and the Fairfax County police department. And the purpose was to assess the issues surrounding youth violence and develop programs and solutions. The committee looked at long-term initiatives as well as served as a resource with immediate kinds of service.

One example was the need to provide detailed training to school administrators and we are fortunate to have a specialist in hostage negotiations with the county police come over and train our school-

based administrators. As Dr. James indicates, school personnel do not have training in these kinds of issues.

We have identified other areas where the staff needs training, where the staff has indicated they feel they need training. The issue of dealing with weapons is not part of a normal course of our school personnel. The need for training in dealing with sexual assaults, communications, skills training, dealing with gangs, are all part of our issues that our school-based administrators have studied for help.

The committee looked for alternatives to suspension, predicated on the assumption that the serious violations of the student code of conduct are more likely to be committed by students with a history of adjustment difficulties, rather than by first-time offenders. So we feel the most effective use of suspension and other forms of discipline at early stage will help curtail the increase in violent behavior.

We had last year approximately 5,800 students suspended from school. Seventeen percent of these students were suspended three or more times.

When we look at suspension histories of students recommended for expulsion, 71 percent had suspension histories in the year previous to the one in which the offense occurred. While the average number of suspensions was seven, the numbers range from one suspension to 23 suspensions.

Twenty-four percent of these students had been suspended from elementary school where less than 1 percent is suspended and 71 percent of these students were suspended for assault or fighting.

The committee was fortunate to get funding from the school board to develop a suspension intervention program to provide short-term intervention for those students chronically disruptive and to identify those that require extensive treatment.

The third aspect of the Youth Violence Committee was to develop programs that go from general education in violence prevention for all students and to finally focus on students that have a history of continuing their patterns of violent behavior. That training that is being recommended includes conflict reduction training for teachers and students, training of staff in nonviolent crisis resolution and peer mediation; and for those students that are demonstrating violent behavior, or problems controlling anger, putting in impulse control plans and basically anger control.

In addition, we recognize that with a small number of students—we estimate 25 to 50 in Fairfax County where we have 135,000 students—that we need to have a local residential program to address those students that were adjudicated by the court. This is community based to help with the reintegration into the local environment.

I should say that that isn't the only initiative. The school board identified as a priority for the current school year the need to reach all parents and students on the issue of student conduct. They developed a specific priority to communicate to parents, students, and staff the expectation that all students will demonstrate cooperation, self discipline, and respect for others, citizenship, and academic effort.

While we think that enforcement is important, the County Council of PTAs sponsored a teleconference series on safe schools this year which was well received by the community in terms of phone-in questions and we provided training to teachers on the use of conflict mediation techniques with students.

We adopted a model of nonviolent crisis intervention.

We added to our array of alternative schools to address the problems of students with school conduct disorders. We expanded them to address specifically the students that had serious criminal behavior.

We formed a committee for nontraditional learners to study the needs of those students whose approaches to learning and whose adjustment to traditional education interfere with successful general education. These are not just conflict disorders, but language minority students who are many times from other countries, speaking no English, and in some instances having no formal education. But among the issues that the School Board is now considering funding was the need to develop a continuum of services that exists in the school beginning with modifications of the regular education environment leading to alternative schools and in some cases leading to expulsion.

We are seeking funding at the present time for school-based sites to work with at-risk students; we are expanding the ESL opportunities that we offer for young adult students; we are establishing a recovery school for students returning from substance abuse treatment.

As the Secretary indicates, the problem of alcohol and drug abuse is very much tied into the problem of school violence.

We are establishing four alternative schools for students that chronically violate school rules and are at risk for expulsion, wind up going into adult education where they frequently are not well-equipped to deal with those students any more than the general education would be.

While the problem in Fairfax County is not of crisis proportion, we believe that carefully planned programs established in a timely fashion may contain a problem which, if left unchecked, threatens the primary mission of the schools. As the school age population becomes increasingly affected by poverty and changes in family structure, the percentage of students at risk is increasing. And as Fairfax County becomes increasingly urban, the problems will increase. The programs currently underway are an initial effort which will require long-term commitment and community support in order to be effective.

We look forward to some indication from the Federal level of initiatives that we might be able to pursue.

Thank you very much.

[The prepared statement of Mr. Holmes follows:]

VIOLENCE IN THE SCHOOLS:
PERSPECTIVE OF A SUBURBAN SCHOOL SYSTEM

TESTIMONY BEFORE
THE HOUSE OF REPRESENTATIVES
EDUCATION AND LABOR COMMITTEE

JUNE 22, 1993

Douglas C. Holmes
Director of Student Services
Fairfax County Public Schools

Problems of youth violence are a national concern affecting every kind of school system. The Fairfax County Public Schools (FCPS) is a school division which takes great pride in the achievement of its students and which enjoys the support of the community. Fairfax County is fortunate to have many families who are economically advantaged. Fairfax County is also a community which has seen alarming increases in the incidence of youth violence and related increases in the serious problems of student conduct in school.

The FCPS is approaching the problem through efforts at increasing interagency collaboration, increasing community involvement, and school initiatives which include student training, staff training, and student intervention. While local in nature, these efforts are shaped by the policies, laws, and initiatives of the Commonwealth of Virginia. Local efforts must also be placed in the context of the national issue. To fully understand the FCPS approach to youth violence, it is necessary to share our perspective of these parameters. It is also appropriate to explain more about the changing makeup and needs of our student population.

Issues of student behavior are long standing and historically part of the challenges associated with education. The current FCPS Student Responsibilities and Rights (SR&R) regulation was adopted in 1980. It is currently undergoing its ninth revision. The original SR&R was adopted in 1971 and revised three times prior to 1980. As far back as 1922, the Code of Virginia addressed issues of student discipline by authorizing the suspension and expulsion of students from school. Nonetheless, the frequency and seriousness of misconduct by students has created a level of national concern.

The schools have experienced significant increases in the number of students recommended for expulsion as the result of weapons violations and other serious offenses. Under existing FCPS regulations, any student who possesses a gun, or uses any weapon, must be recommended for expulsion. During the 1991-92 school year, 37 students were considered for expulsion by the School Board, almost double the average considered over the previous five years. Of these expulsion cases, 19 (51 percent) were related to weapons violations--more than double the average number of weapons cases over the past five years. In the current school year thus far, 60 expulsion recommendations have been forwarded to the School Board, a 62 percent increase over the previous year. Of 98 cases recommended for expulsion this year, 42 involved guns and 16 involved other weapons, 59 percent of the total.

Assault and substance abuse violations constitute the primary other reasons for expulsion recommendations made by principals. Fairfax County Public Schools' regulations require a mandatory recommendation for expulsion for any case of distribution, which includes "giving or selling" alcohol or any controlled substance. In the current year, 15 percent of the expulsion cases were for substance abuse compared to 28 percent in 1991-92. Assaults comprised 18 percent of expulsion recommendations in the current year and in 1991-92.

Less serious student conduct problems as reflected by suspensions are also increasing, but at a lower rate. Total student suspensions increased 36 percent over the five years between FY 1988 and FY 1992. While high school suspension rates were stable, the greatest changes in suspension patterns are at the middle school level. The number of elementary students suspended remain less than 1 percent of enrollment, going from 0.4 percent to 0.7 percent in five years. However, 12.9 percent of middle school students were suspended, up from 8.0% in FY 1988. The percentage of middle school students suspended exceeds the rate at

the high school level, 10.7 percent, and did so for the first time in FY 1991. Middle school students account for 47 percent of all suspensions for fighting and 58 percent of all suspensions for assault. Overall, males account for 76 percent of all suspensions, reaching 87.6 percent at the elementary level.

Major increases in problem behavior occurred outside of the school as well. As reported by the Fairfax County Juvenile and Domestic Relations District Court, FY 1987 through FY 1992 saw a 53 percent increase in simple assault, a 100 percent increase in serious personal assaults, and a 114 percent increase in weapons violations. Over six years, the average age of violent offenders in Fairfax County has remained constant at around age 15. However, approximately 10 percent of violent offenses are committed by individuals between the ages of 8 and 12. Males account for 80 percent to 85 percent of the complaints for violent offenses.

Characteristics of Fairfax County

Fairfax County has a population of approximately 843,000 and covers 399 square miles. The median family income is approximately \$73,600 and over half of the population has completed more than 16 years of formal schooling. Of the high school graduates in 1992, 94.4 percent went on to postsecondary education, and 76.7 percent went on to four year colleges and universities. The drop out rate is 1.8 percent.

The school division is the tenth largest in the nation with 136,433 students and 213 schools and centers. Minority students make up 31.1 percent of membership. Over 97,000 students are bused daily. Staff comprise 14,885 full-time positions, 69.4 percent which are school based. With a projected 18.4 percent increase over the next ten years, general education membership is expected to reach 158,399 by September 2002, with minority student membership reaching 46.6 percent.

The number of Asian students in membership increased by 149 percent during the 1980s, while the number of Hispanic students increased by 233 percent. Many of these new students were immigrants. The total immigrant population in 1988-89 was 10.4 percent, while by 1992-93, the total immigrant population had increased to 14.5 percent at the middle school level and to 18.8 percent at the high school level. In 1986, Asian students surpassed Black students as the largest minority student population; and it is projected that by 1998, Hispanic students will replace Black students as the second largest minority student population in FCPS.

Increases in the immigrant population contributed to increases in language diversity in FCPS. By 1992, 15.5 percent of FCPS students were non-English primary language students. Consequently, increasing numbers of students have been placed in the English-as-a-Second-Language (ESL) program. This program began in 1974 with 375 students. Currently 6,864 ESL students are receiving direct classroom services.

In Fairfax County, 28,210 residents live below the federal poverty line of \$6,932 for individuals and \$13,424 for families, an increase of 22.2 percent since 1989. A significant dimension of poverty in Fairfax County is the number of very poor individuals and families. In 1989, 12,400 families and single individuals, or a total of approximately 35,000 residents, lived in severe poverty, with annual incomes averaging approximately \$8,500. By 1992, the number of residents living in severe poverty had increased to 46,000.

In FCPS, indicators of poverty increased as well. The number of students certified as eligible for free-and-reduced-price lunch dramatically increased from 11,348 in 1990 to 19,300 in 1993, an increase of more than 70 percent. In addition to the lunch assistance program, which is provided at all schools, 93 schools currently provide a second meal for students through the breakfast program, an increase of 14 schools since 1991-92. Not included in the 19,300 students currently certified as eligible for free-and-reduced-price lunch are those students who are eligible but have not applied.

The State Perspective

Funding is the most critical educational issue before the Virginia General Assembly. Legislators are faced with these difficult questions: How much money

should the state appropriate for public elementary and secondary education? How should the appropriated sum of money be allocated among the 135 local school divisions? What populations of students or educational programs should be targeted for assistance?

The General Assembly's ability to respond to these questions is constrained by a recent change in the relationship between revenues and student membership. Since the end of the last decade, growth in government revenue has halted, and student membership has risen. This situation is projected to continue throughout the 1990s, meaning marginal increases in the amount of funds dedicated to education and possible decreases in per-pupil spending. Faced with poor financial prospects over the next several years, local school divisions also anticipate additional state mandates as Virginia and the nation pursue educational reform and restructuring. Programs and services for the rapidly growing populations of students who are at risk because of poverty, limited English proficiency, disabilities, or health and family problems are expanding.

The serious issue of violence was also before the General Assembly which enacted many bills directed to reducing crime and violence in the Commonwealth. There were several educational initiatives related to the rights and responsibilities of local school boards regarding suspension and expulsion, the provision of alternative educational programs to expelled students, disclosure of information about violent students, transfer of records, and restrictions on the availability of guns to juveniles. In addition to the initiatives enacted above, the Fairfax County School Board sought other legislation to address school violence. These included specific protection in the law for teachers and other school personnel from threats of bodily harm, and legislation to permit the removal from school of a special education student who commits a serious violation, when the misbehavior does not arise from the student's disability.

The National Perspective

Problems of youth behavior are such that the Center for Disease Control (CDC) describes the health problems of young people as being largely caused by "a relatively small number of behaviors, such as drinking and driving and sexual intercourse at a young age." As of 1990, 70 percent of all deaths in the one to twenty-four age range are due to motor vehicle crashes (33 percent), other unintentional injuries (15 percent), homicides (10 percent), and suicides (10 percent). Alcohol and drug abuse are closely associated with these health problems. Similarly, serious health problems are seen to result from 800,000 unintended teenage pregnancies annually, including problems stemming from the high rate of infant mortality associated with these pregnancies. An estimated 2.5 million cases of sexually transmitted diseases also occur among adolescents each year.

The problematic youth behaviors noted above seriously disrupt the lives of students, families, and communities. While the primary concern within education is conduct which threatens school safety or the disruption of the learning environment, "There is strong agreement that the establishment of safe schools is inseparable from the issues of violence and crime in the larger community." The United States has more assaults and murders than any other industrialized nation with 22 homicides per 100,000 in the 15 to 24 age range, more than four times greater than the rate in the next highest industrialized country. Such homicide in the United States is most likely to occur between family members (20 percent) and acquaintances (30 percent). It frequently involves a situation of drug or alcohol use, and is much more likely to occur with the availability of a firearm.

The homicide rate for black males in the 15 to 24 age range is almost four times the rate as the overall population, 85.6 per 100,000, and thus the leading cause of death for this segment of the population. Nonetheless, the homicide rate among white males in the same age range is 11.2 per 100,000, still twice as high as the rate in any other industrialized nation. In addition, studies support the contention that the variability in these rates of violence are a function of chronic urban poverty. In an Atlanta study of domestic violence, blacks and whites living in over-crowded conditions had the same homicide rates. At the same time, blacks living in under-crowded conditions had the same low level of homicide as did whites living in under crowded conditions. Thus, increasing patterns of poverty and increasing urbanization can be expected to result in a higher frequency of violent acts.

BEST COPY AVAILABLE

In addition to the factors noted above, "repeated exposure to real life or fictional violence can make violence seem normal and acceptable." Studies indicate that the average child who watches television sees 8,000 murders and more than 100,000 other acts of violence before finishing elementary school. The children most likely to become violent are those males who are poor, urban, witnessed or been victimized by violence in their families, and who lack nonviolent male role models. Changes in family structure will therefore have an impact in this area.

Since the mid-1970s, almost 50 percent of all marriages have ended in divorce. In addition, 25 percent of all births by 1987 were to unmarried women, up from 5 percent in 1960. As a result of these factors, the proportion of single-parent households has doubled since 1970 and tripled since 1940. In the Fairfax County Public Schools, 24.7 percent of all students in grades 7 to 12 report that their parents are living apart. Apart from the impact on family relationships, these changes in family structure are seen as relating to increases in the number of children in poverty. In 1987, 23 percent of children younger than age six were below the poverty line, 40 percent of all poor were children, and 58 percent of all poor children were minority.

Infants and children who lack access to proper health care and nutrition are vulnerable to the long-term problems of illiteracy, school failure, and juvenile incarceration. The initial stages of neurological development are affected by events in the prenatal period, infancy, and childhood that can have a disproportionate influence on the person's entire life.

Local Initiatives

In the winter of 1992, a Youth Violence Committee was formed as a cooperative effort with Fairfax County Public Schools, the Fairfax County Juvenile and Domestic Relations District Court, and the Fairfax County Police Department (FCPD). The purpose of the committee was to assess the issues surrounding youth violence and to develop programs to address major problems affecting both the schools and the community.

The committee approached the task with the intent of making recommendations for long-term initiatives, while also serving as a resource to provide immediate support where possible. One example of the immediate was a detailed training session in December 1992 on the handling of incidents involving guns, presented by a specialist in hostage negotiations with the FCPD. As a result of this kind of collaboration, the FCPD has also instituted a policy of assigning liaison officers to each high school to improve communication and allow for a proactive approach in dealing with community issues which impact on the school environment. In the area of communication, the need was identified to establish a mechanism for the ongoing exchange of information between all three agencies as a means of ensuring that school personnel remain current and informed regarding issues associated with combating youth violence. Also identified was the need to enhance the dissemination of information within the school division and to provide staff development in areas associated with the handling of serious conduct violations.

Staff development in areas related to youth violence is a critical issue. Educational personnel are not trained to deal with issues of weapons, assault, or traumatized victims in the normal course of professional preparation. Listed below are topics for future training in rank order, with the percentage of school administrators who rated the topics as very or fairly important, after receiving training on dealing with gun incidents:

• Sexual Assaults	94.4%
• Gangs	86.0%
• Communications between the FCPS/FCPD/Community	86.0%
• Confrontations with Parents	82.0%
• Communications Skills Training	80.6%
• Trespassing Issues	80.1%
• Search and Seizure	76.9%
• Bomb Threats	75.0%

• Trends in Alcohol and Drug Abuse	73.9%
• Juvenile Court/Law	71.7%
• Procedural Requirements Associated with Suspensions and Expulsions	65.9%
• Students Responsibilities and Rights	55.8%

The Youth Violence Committee also looked for alternatives to suspension, predicated on the assumption that serious violations of the student code of conduct are more likely to be committed by students with a history of adjustment difficulties, rather than first time offenders. Consequently, more effective use of suspension and other forms of discipline at an early stage might help curtail the increases in violent behavior and other serious offenses.

An analysis was conducted on out-of-school suspensions for FY 1992, indicating that 5,826 students were excluded from school for one or more days. Of that number, 3,817 (65.5 percent) were suspended one time. Only 1,028 (17.6 percent) were suspended two times. Thus, for a large number of students who are suspended (83.2 percent), that form of discipline is sufficiently effective as to eliminate the need for further exclusion from school. Nonetheless, 981 (16.8 percent) students were suspended three or more times, thus suggesting that other forms of intervention might also be required.

An analysis of the suspension histories was conducted for students recommended for expulsion. The suspension records were reviewed for the 59 students who had been considered for expulsion in the current year through February 10, 1993. The suspension histories did not include any suspensions that may have occurred in the current year. Nonetheless, 42 (71 percent) had suspension histories previous to this year. While the average number of suspensions was seven, the number of suspensions ranged from one to twenty-three. Suspensions had occurred in elementary school for 10 (24 percent) of the students. While 30 (71.4%) had been suspended for assault or fighting, only one student had been suspended for assault on staff. Thus, strong support was found for the hypothesis that students who commit serious student conduct violations frequently have a history of chronically disruptive behavior.

The Youth Violence Committee recommended and received funding for establishing a Suspension Intervention Program to provide short term intervention and follow-up for students who are chronically disruptive. Students in grades 5 and above can be assigned to participate in a three day seminar which focuses on law related education, conflict resolution, impulse control training, and bias reduction training. A key aspect of the program is to identify those students who are in need of more intensive, specific treatment.

A third aspect of the Youth Violence Committee was to work toward "developing a program which would specifically target students who have committed violent acts against others with a goal of reducing the incidence of such violence." The plan being forwarded for consideration is a three-tiered, progressive model. It moves from general prevention-oriented groups of activities, through a set of specific kinds of interventions, and eventually focuses on a fairly small group of youth who have continued their violent behavior in spite of the first two sets of efforts. At each level, progressively smaller groups of students are served.

The intent is to make students aware of the issue of violence and equip them with general information and skills to help avoid and manage potentially violent situations. The following actions are currently in place or are planned:

- The training of staff to counsel students in conflict resolution techniques.
- The training of staff in nonviolent, crisis intervention.
- Peer mediation programs.

Where students distinguish themselves from the general school population by the severity or frequency of their use of violence, more individualized and focused tactics are needed. The following are in place or being developed:

- Aggression reduction training
- Impulse control training
- Anger control groups (cognitive model)

Students who require intensive intervention are small in number, but need to be a major focus. The population highlighted is "a residual group of students, between 25 and 50 in number, who continue their violent behavior even after being exposed to the above-cited programs." The committee's consensus was that this population could best be served by a residential facility. This facility would use many of the above-cited approaches on a more intensive basis. As part of this facility, there would be staff to act as a bridge upon the youth's release helping to integrate the student successfully back into traditional life in the community.

The FCPS made additional efforts to address student conduct problems beyond the efforts of the Youth Violence Committee. The School Board adopted as a priority in 1992-93 to:

Communicate to parents, students, and staff the expectation that all students will demonstrate cooperation, self discipline, respect for others, citizenship, and academic effort.

Thirteen separate strategies were developed to address student conduct. Among those activities, the following can be reported:

- Efforts to increase parent and community involvement included a teleconference series on safe schools sponsored by the County Council of PTAs.
- Teachers of peer helper courses at the middle and high school level received training on the use of conflict mediation techniques. Plans were initiated for a pilot course to be offered to teach conflict mediation skills to high school students.
- A model of nonviolent crisis intervention has been adopted and training initiated with teachers, counselors, and administrators.
- Training sessions on legal issues associated with serious incidents was provided for all administrators. In addition, all school-based administrators and administrative assistants received training on dealing with guns and other weapons.
- An alternative school--independent study program--was initiated with the juvenile court to address the educational needs of those students with serious criminal behaviors.
- Inservice training for student services personnel was initiated on methods of violence reduction and anger control.

A Committee for Secondary Programs for Nontraditional Learners was established to study the needs of students whose approaches to learning and whose adjustment to traditional education interfere with successful general education participation; language minority students with limited formal schooling; students in recovery from drug and alcohol abuse; students at risk for expulsion for inappropriate behavior, and conditionally expelled students. The School Board is now considering funding the recommendations of the committee which include:

- the establishment of a continuum of services beginning with school-based intervention and moving to alternative school placement or expulsion.
- the funding of support strategies in local schools
- the establishment of four school-based sites at the middle school level for at-risk students.
- the expansion of the ESL opportunities for older students at the high school level

- the establishment of a recovery school for students returning from substance abuse treatment
- the establishment of four alternative schools for students who chronically violate school rules and are at risk for expulsion.
- increased staffing and support for the adult high schools which serve as alternative school placements for many at-risk, school age students.

Summary

The efforts underway within the Fairfax County Public Schools stem from the recognition that student conduct problems are increasing in number and seriousness. While the problem is not of crisis proportion, carefully planned programs established in a timely fashion may contain a problem which, if left unchecked, threatens the primary mission of the schools. The efforts recognize that we are part of a national problem, subject to the same forces as our urban and rural counterparts. As the schoolage population becomes increasingly effected by poverty and changes in family structure, the percentage of students at risk increases. As Fairfax County becomes increasingly urban, the pressures and problems facing young people will also increase. The programs currently underway in Fairfax County are an initial effort which will require long-term commitment and community support in order to be effective.

References

Fairfax County Public Schools. (1993, May). 1993 Update: Framing the Future for the 21st Century

Fairfax County Public Schools. (1993, April). Report of the Committee for Secondary Programs for Nontraditional Learners

Fairfax County Public Schools; Fairfax County Juvenile and Domestic Relations District Court; Fairfax County Police Department. (1993, May). Report of the Youth Violence Committee

Chairman KILDEE. Thank you very much, Dr. Holmes.

Mrs. Cooper.

Mrs. COOPER. Mr. Chairman, members of the committee, I thank you for offering me the opportunity to speak today.

As everyone has mentioned, violence has become an everyday occurrence in the United States. You can't pick up a paper, watch the news on TV or listen to the radio without hearing or seeing about violence. It surrounds us.

Yet how many of us think of violence in terms of 3- and 4-year-old children? These children are innocent babies, we think. Their days should be filled with carefree play, with learning and with laughter, with imaginative games.

Yet if we as a society want to reduce the violence that is both in the schools and in the society, then we need to look at the fact that for many of our children there is no innocent play. For many of our children there is little or no laughter.

We need to look at their imaginative games because often they mirror their lives and I think if any of you looked at this, watched them for an hour, you would be very surprised at what comes through. The laughter is diminishing and the children respond to what life deals to them with a lot of violent action. We need to understand that this type of response interferes with learning, it interferes with their life.

And if we can stop this violence and these violent responses when the children are still very young before their pattern has changed, before their pattern has become a norm, maybe we can change it. I work as an instructional assistant in Fairfax County public schools. I work for the Family and Early Childhood Education Program which is funded both by the county government and by the Federal Government. There are five Head Start classes, the rest of them are county-funded.

We work on the Head Start model. I have continued my education in order to be able to help these children. Yet none of the education that I continue to receive has made me—has prepared me for the changes that I have seen in the last 5 years. I recently attended a forum that was sponsored by the Fairfax Education Association, and part of the forum focused on proposed Federal legislation to address this subject.

What I found that I heard was that most of what people were saying addressed the teenage violence, the guns in school, the knives in school. No one seems to even think about the fact that children as young as 3 and 4, kindergartners, fifth graders, second graders are acting violently and that we need to address this. This is where we need to start. Until we start here, then we aren't going to make much progress at all.

Five years ago the majority of the children that I had in my classroom, although lacking in social skills, were able to in a short time settle down and begin to learn. There were one or two children in each class that lacked both the skills to control their impulses, had very little guidance in controlling their emotional outbursts and have short attention spans. But each year this number grows. We are currently seeing in the classroom what many of us believe is the beginning of generations of children who were abused before birth by drugs and alcohol.

These children are starting life in dysfunctional families. The increasing number of children with these problems and with other problems makes teaching more difficult.

At one time we can anticipate behavior problems and we could take action before they happened to change that. That time is slipping away. These children need an adult to be constantly with them, constantly guiding them trying to modify their behavior. And when there are so many of the children like that in the classroom, so many of the children who need an adult closeness and supervision, there is very little that the teachers can do.

Sometimes in our classroom we feel more like referees than like teachers because as we are handling one problem in one area of the room, two more erupt in another area of the room. We seem to run from one problem to another rather than to teach.

Each day ends with the children frustrated, the teachers frustrated, and both of us, all of us exhausted. And each day I wonder what can I do differently?

About the only way I can describe my day to you is to put it into your perspective. The people that you spend the majority of your day with are adults. They have hopefully learned to control their actions, their words and their emotions.

How would you feel if you walked into your office one morning, said good morning, and your receptionist hit you? You next you went into our Secretary's office and she was screaming and throwing the furniture because she didn't want to type the document you had given her. Finally you are in the restroom washing your hands and your coworker walks up and bites your arm because you are using the sink and he wants to use it. What would your reaction be?

The people that I spend the majority of my day with are young children and they lack control. If they have, it is very little. I face that type of reaction constantly every day and the scene is played out not only in my classroom but in classrooms throughout the country every day.

How could you remain dedicated under similar conditions? For many teachers, assistants and administrators, it becomes more difficult to face going to work each day, much less planning an effective learning program.

I really fear that the schools will lose their most dedicated, caring, best staff members. In the last 3 years I have been hit, kicked, scratched and bitten on an almost daily basis. I often go home with bruises, bumps, scratches.

I am exhausted when I get home and I find it difficult to deal with my own life under those circumstances. In January I spent weeks trying to explain a black eye that I received when a child punched me. I had a bruise on my knee the size of a fist from a child that kicked me with steel-toed boots on, and I recently had surgery on my hand for an injury that I incurred 2 years ago from a child.

Most of these injuries are caused from trying to control the child who was angry and out of control.

What has caused the anger? Sometimes all we have to do is say good morning. Sometimes it is because we have asked a child to do something that he doesn't want to do. Sometimes it is because he

lacked the social skills or the development to be able to wait and wait his turn. Sometimes we can predict an angry response and avoid it. Other times they are totally unpredictable.

The angry 3- and 4-year-old child of today in my classroom may become the disruptive elementary child. The disruptive elementary schoolchild may become the middle or high school child who carries a knife or gun to school to handle this problem.

One of the things I have seen is an increase in the amount and type of TV programs and movies that the children view. Many parents see nothing wrong with taking their 3-year-old to see violent movies. These movies and TV shows may affect the child for months and in some cases for years.

I have had to deal with children who have watched movies such as a "Child's Play," "Nightmare on Elm Street" with Freddie Kruger, and most recently "Jurassic Park" where dinosaurs maim and kill.

I have one student who loved dinosaurs. It was the only way to reach him. He saw "Jurassic Park" and now he hates dinosaurs. We have lost the only way to reach him. Children have not learned to separate their fantasy world from the real world, and they see how the movies and the reactions in the movies apply to their life.

It is difficult for them to understand that they can't react the way that the characters in the movies do. It is difficult for them to comprehend that the violence they see probably won't happen to them. Add to this the fact that a lot of them don't even have their basic needs met, have a very low self-esteem and are often the victims of violence and abuse themselves. These children possess a lot of suppressed despair and anger.

I strongly support Head Start and the local programs such as the Family and Early Childhood Program such as I work with. My experience has been that a 3-year-old child enrolled in a program has a much better chance of achieving success upon entering elementary school than those that enter the programs at 4.

What can we do with this problem? We need to recognize as a society that the problem exists. Only then can we begin to find answers.

We need to look at the fact that some of the parents of these children are themselves children and they have not learned to control their own impulses and emotions. They also lack parenting skills and are often frustrated and feel defeated when faced with the problems, the everyday problems of raising a child.

We need ways to educate the parents and we need to hold them responsible for not only their own actions but for the actions of their children. We need teaching programs to educate these parents, but making these programs available is only the first step.

Until we have a way to make participation in these programs a requirement for receiving social services or, for that matter, even keeping a disruptive child in the public school system, there will be little or no effect.

We also desperately need to develop and provide training for staff members at all levels. Unless educators are able to effectively and safely deal with these problems of our children and our classroom, the thrust of our classroom becomes the safety and well-

being of the other children and ourselves and our efforts to teach are often diminished.

No program can be effective in reducing violence in the school or in society unless or until it begins with the children at a very early age. Our Federal, State, and local laws must make it possible once again for our educators to educate, for our children to learn, and our parents to be responsible.

Please assist us in developing and promoting effective programs.
Thank you.

[The prepared statement of Mrs. Cooper follows:]

Susan M. Cooper
Instructional Assistant
Fairfax County Public Schools
Fairfax, Virginia

Violence has become an everyday occurrence in the United States. You read about it in the paper. You see it on the television news. You hear about it on the radio. Violence surrounds us. Yet, how many of us think of violence in terms of three and four year old children? These children are innocent babies. Their days should be filled with carefree play, imaginative games, learning and laughter. If we, as a society, want to reduce the violence that has become the norm, we need to begin by realizing that for many of our "innocent children", there is little, or no carefree play; we need to look more closely at their "imaginative games"; we need to notice that the laughter is diminishing; we need to realize that their way of dealing with whatever life hands them is to respond with violent action. We need to understand that this type of response interferes with learning. If we begin to deal with these violent responses, while the children are still young, perhaps we can change this pattern.

I work as an Instructional Assistant in the Fairfax County Public Schools Family and Early Childhood Education Program (FCEEP). Our funding comes from both the Federal and County governments. We operate on the Head Start model. I have worked in the program for eight years. In order to gain additional knowledge and information, that would help me help the children, I have continued my education. I have 12-15 credit hours in Psychology and over 40 credit hours in Early Childhood Education. Yet, none of this knowledge has prepared me for the changes I've seen in the past five years.

I recently attended a community forum on violence in our schools sponsored by the Fairfax Education Association. Part of the forum focused on proposed Federal Legislation to address this subject. It appears that this legislation is focusing on older children who bring weapons to school, who engage in violent outbursts and fights; those children who have not learned that aggressive behavior and violence is not acceptable to society.

The meeting was attended by members of Congress, Virginia State Representatives, the National Education Association, members of the Fairfax County School Board, the Chairman of the Fairfax County Board of Supervisors, the Commonwealth's Attorney, the Superintendent of Schools, representatives of the County court system, representatives of the Principles from the school system and the local P.T.A.. All agreed that violence is becoming a way of life. All agreed that something must be done to stem the tide of violence that is sweeping this country. None, however, seemed to have recognized or addressed the fact that in order to prevent, or reduce, the levels of violent, anti-social behavior that is evident in our schools, we *must* begin at the youngest possible age, before aggressive, inappropriate behavior becomes the norm for the child.

Five years ago the majority of the children in our class, although lacking social skills, were able to, in a short time, settle down and begin to learn. There were one or two children in the class that had extremely short attention spans, had no idea how to begin to control their impulses and had no experience or guidance in controlling their emotional outbursts. Each year, the number of children with these and other problems has increased. We are currently seeing in the classroom what many believe is the beginning of generations of babies who were abused before birth by drugs and alcohol. Children who are starting life as part of a dysfunctional family. The increase in the number of children with behavior problems has made teaching and classroom management more and more difficult. At one time, we could anticipate where the problems would be and plan ways to avoid them. That time is slipping away. These children need an adult to be with them, constantly guiding them, trying to modify their behavior and helping them find a better way. When so many of the children need this kind of closeness and supervision, there is very little that the teachers and staff can do. We can't be with each of the children all of the time. As we are handling one problem, two are erupting somewhere else in the room. Sometimes we feel more like referees than educators. Each day ends with exhaustion and frustration for both the children and the teachers. Each day I wonder what I can do differently to make things better.

The people you spend the majority of your day with are adults. They have (hopefully) learned to control their actions, words and emotions. How would you feel if you walked into your office, said "Good Morning" to the receptionist and she reached over and hit you? Next, you go into your secretary's office and she is screaming and throwing the furniture because she doesn't want to type the document you have given her. Finally, you are in the restroom washing your hands when one of your co-workers bites you on the arm because he wants to use the sink and you are in his way. What would your reaction be?

The people I spend the majority of my day with are children, three and four years old, with little if any control. We face the reactions described above every day. This scene is played out in many classrooms across the country on a daily basis. How long would you remain dedicated to your job under conditions similar to these? For many teachers, assistants and administrators it becomes more difficult each day to face going to work, much less planning an effective learning program. I fear the schools will lose the best and most dedicated staff members if this problem is not addressed soon.

In the last three years I have been hit, kicked, scratched or bitten on an almost daily basis. I often go home with bumps, bruises and scratches. I am so exhausted when I get home that it is difficult to deal with my own life. In January I spent weeks explaining a black eye, after a child punched me and had a bruise on my knee the size of a fist after I was kicked by a child with steel-toed boots. I have recently had surgery on my hand to correct an injury caused by a child two years ago.

BEST COPY AVAILABLE

Most of the time these injuries are caused while trying to handle an angry child who is out of control. What has caused the anger to erupt at school? Sometimes all we have to do is say "Good Morning" to the child. Other times it is because we want the child to do something he doesn't want to do or because the child hasn't learned the social skills to share or wait for his/her turn. Sometimes we can predict an angry reaction, yet at other times the reaction is totally unpredictable. These angry three and four year old children may, in a few years, become the disruptive elementary school child. The disruptive elementary school child may become the middle or high school child who carries a knife or gun to school to handle his problems.

I have seen a difference in the amount and type of TV programs and movies that the children view. Many parents see nothing wrong with taking children as young as three to see violent movies. These movies or T.V. shows may affect the children for months and in some cases years. I have had to deal with children who have seen movies such as "Child's Play" (a movie where a child's doll kills people), "Nightmare on Elm Street" (with Freddie Kruger) and most recently "Jurassic Park" (where dinosaurs maim and kill). These children are trying to determine how the actions in the movies apply to their lives. Children at this age have not yet separated the real world from the fantasy world. It is difficult for them to understand that they can't respond in the same way as the characters in the movies. It is difficult for them to comprehend that these things will (probably) not happen to them. Add to this the fact that some of these children don't have even their basic needs met, have very low self-esteem and often are the victims of violence and abuse themselves. These children possess a lot of suppressed anger and fear.

I strongly encourage Federal programs such as Head Start and local programs such as FECEP to actively recruit and enroll children at age three. My experience has been that a three year old child enrolled in a program has a much better chance of becoming a successful, better adjusted, and better behaved child upon entering elementary school.

What can we do about this problem? Society first needs to recognize that there is a problem. Only then can we begin to find answers. We need to look at the fact that some of the parents of these children are themselves children who have not learned to control their own impulses and emotions. They lack parenting skills and often feel frustrated and defeated when faced with the problems that come with raising a child. We need ways to educate the parents and hold them responsible for not only their own actions, but also for the actions of their children. However, making these teaching programs available is only the first step. Until we have a way to make participation in these programs a requirement for receiving Social Services or keeping their children in the public school system, there will be little or no effect. We also desperately need to develop and provide training for staff members at all levels in dealing with the chronically angry and disruptive child. Unless educators are

able to effectively and safely deal with these children, our thrust in the classroom becomes the safety and well-being of the children and ourselves. Our efforts to teach are diminished.

No program can be effective in reducing violence in the school systems or in society unless or until it begins with children at an early age. Our Federal, State and Local laws must make it possible, once again, for our educators to educate, our children to learn, and parents to be responsible.

Please assist us in developing and promoting effective programs.

Chairman KILDEE. Thank you very much, Mrs. Cooper, for your testimony.

Let me start with a few questions. Dr. James, the administration's school violence proposal authorizes schools to use up to one-third of their grant for metal detectors or hiring security personnel or to reimburse local police departments for the use of police. What do you see as the most effective approach to stemming violence in our schools?

Mr. JAMES. Most effective proposal?

Chairman KILDEE. Yes. I am asking for some general approach. I have seen schools where I think you need metal detectors. You need security.

I have even seen principals feeling that they should even—chain doors and then you have another problem of escaping from the school. You try to keep people out and you won't enable people to get out in case there is a fire. What beyond metal detectors and security personnel and the local use of police would you recommend to stem this violence?

Mr. JAMES. Well, let me begin generally and then end with a couple of scientific things.

Generally, most local school administrators need to be encouraged to assess their campuses and the climate of their campuses. There is a tendency to impose generic solutions on school campuses in order to be able to say to communities and to those watching observers that we have done something. Treating the problem on a global scale as though every child is a candidate for going ballistic and disrupting the campus.

When school administrators have a moment to reflect on the phenomenon they usually agree with the data that a small percentage of the students enrolled in the student bodies are far more likely to initiate and promote the disruptions that grab the headlines and compromise the schoolday. Now, if that is true, then that means that it is far more effective for school administrators to develop ways of identifying and predicting how those disruptions will occur and who will in their student body initiate them. And that is fairly easy to do.

As I travel and talk with school administrators and some legislators, an increasing number of legislators at the State level, we talk about the three phases that schools seem to go through that end up with the worst case scenario that I have coined as "Dodge City."

There is usually a calm school environment much like "Mayberry" or "Happy Days" where everyone is behaving. There is no need to refer to the school of conduct. It is there somewhere. Someone knows where it is, but there is no need to have it.

There is an uncertain phase. That is the second phase, where students, some of whom are serious habitual juvenile offenders from other areas and some who are home-grown, are with immunity disrupting campuses and the code of conduct is not being enforced against them. No one knows what the rules are, where the rules are found, no one knows how to implement them. When implemented, they are not implemented in a standard way that produces a sense of fairness and due process.

It is far more likely that in that middle phase of uncertainty that students wonder whether the administrators and teachers know

what is going on on campus daily and that quickly gets to the third phase which we call "Dodge City" where students start to take matters into their own hands.

You may be aware of some of the large urban areas that have imposed zero tolerance rules on students bringing weapons to the school, and found that many of these students were college-bound students, good students, that there were no previous problem but they were still bringing guns to campuses. And one area suspended the policy 30 days after implementing it for further study knowing that what really needed to be done was to focus on the problem at a more specific level.

Since we know that campus disruptions are often initiated by a small percentage of students, we need to spend a lot of time getting to know them. And the good news is that they are easy to identify.

As individual students, some of them promote disruptions at such a scale that they have a file in the office of almost every agency in the local area that provides child care services. They are easy to identify in groups when they wear the same thing.

That lets us know that they are there and they mean business, and we don't focus our attentions on them enough. And I think that is where a lot of the strategies for correcting the violence in school needs to be focused.

There is a far greater number of students in the other category that would obey the rules, that would toe the line, that would be responsible citizens if they simply knew that there were rules that set a standard high enough for them to reach. But I fear that too many of our students on campuses now are reaching down and taking matters into their own hands.

We know who the offenders are, Mr. Chairman. We simply are letting them walk around with impunity and then go to our campuses and take over.

Chairman KILDEE. Thank you. Mr. Goodling.

Mr. GOODLING. Two quick questions.

Dr. James, we put through some legislation dealing with crime reporting on campus, where parents and students alike would be better informed as to what was happening on those campuses, either after they make a choice or before they make a choice to go there. I was wondering whether you believe that would be also an appropriate thing for elementary and secondary schools?

We used to think that all the crime came from the community onto the campus, but now we have discovered that all the crime is on the campus. Would that be of any benefit to have the same kind of reporting program for elementary and secondary?

Mr. JAMES. Mr. Goodling, I think that three States currently and very recently have just decided to mandate crime reporting at that level. And I think that is a good thing if only that the parents who are complying with the State compulsory attendance laws are often sending their kids into environments that are not safe. And I think everybody sees the virtue of making informed decisions about where to send their children during the schoolday.

I would be pleased if the accumulation of the data led to the implementation of more model programs like the programs that hopefully this Act will fund. That will help local administrators respond to the picture that the statistics will create for them, if it suggests

that something needs to be done. And if the Act supports provisions that would require crime reporting at that level, I think it would be a good thing.

Mr. GOODLING. My other question would deal with—and Ms. Cooper touched on this—do we have many good studies that would indicate any relationship between all the violence that we get on the tube—I am looking some day to turn to a church program and see them slugging it out or doing something, because every other program—I mean, we never even knew that you could do those kinds of things. Are there any good studies that are indicating a correlation between the amount of violence on the tube and the amount of violence in schools?

Mr. HOLMES. There are studies that show the amount of violence that the students see in their first 12 years of life. Some 8,000 acts of violence witnessed on the TV. There are studies that indicate that students subjected to violent behavior in the home are more likely to act out violently.

Students that do not have non-violent models to learn from are more likely to act out violently and there are social psychology research that indicates that modeled behavior can be learned from televised viewing. It is not a great stretch to look at the thousands of violent acts that students see on television and realize that they are being desensitized to what it means to commit a violent act. And we can certainly provide some of those studies to the committee staff.

Mr. GOODLING. Is the answer then—the City of New York, for instance is trying to get enough money together to set up dormitories so that where there is so much violence in the home, they will keep them in a dormitory rather than have them go home.

Mrs. COOPER. I am not sure what the answer is. I think educating the parents. But some of the parents feel so defeated at this point that you will have to have a way of forcing them into the program to educate them.

Mr. GOODLING. That is, I didn't get into trouble with the former Secretary of Housing who will have them all buy their own housing and that will develop pride, et cetera, et cetera. And I don't have any problem with it, other than it seems to me that we have to do an awful lot of literacy work and parents work, et cetera, et cetera, before that is going to be effective.

Yes?

Mr. BEARD. I would like to respond to your other question.

Recently I was invited by the Rotary Club in the rural area of New York to come and address the Rotary Club. Since we had a couple of hours of extra time they called the superintendent of schools and said someone from the gun control movement is here and would be willing to talk to you. Within half-an-hour they had every principal of every school in the district in a room. And we began with the superintendent saying we don't have a gun violence problem in this community, but we do want to talk about prevention strategies.

But in the course of the 2-hour discussion, it turns out that every principal in that district had had several gun-related problems that had not been passed on to the superintendent, and other members of the school board and the administrators didn't know about. So

when we were all in this room talking about this issue it suddenly became very clear that there was more of a problem than the superintendents or any of the principals or the school board members knew at the time.

So I think it is extremely important that the kinds of requirements for reports that are being applied to the campuses ought to be applied to the elementary and secondary campuses as well. As Dr. James has said, we don't want to respond to a problem that is not there.

We want to respond to the problems that are there. And how do we do it if we don't have the statistics to do it. That is an extremely important first step.

Chairman KILDEE. Mr. Miller.

Mr. MILLER of California. Thank you, Mr. Chairman. And let me thank the panel because I think you have addressed sort of the spectrum of this problem.

And Mr. Beard, I think—James—I got Beard and James mixed up. Mr. James, your recommendations at the end are very important. And I think the statement on page 7 about your Youth Violence Committee and sort of setting up a progressive—what you referred to a three-tiered progressive model, incorporates some of what Professor James has suggested and, Mr. Beard, I agree wholeheartedly, the sheer proximity in number of guns and the random availability must be addressed.

I am not about to give up yet on the notion that we can't provide some separation. And Mrs. Cooper, I spent most of my life trying to figure out how we start at the other end of the spectrum with our young kids and prevent this from happening. Let me get right to the nub of this. You touched upon it, Professor James.

I introduced legislation that says if you get caught with a weapon on campus, you are out for a year. You indicated that people have done that. States and school districts have been off again, on again. I know LA has looked at this.

But it seems to me that whether you are Fairfax or you are dealing with the societal problems of guns or trying to work with the parents to try to bring them into the fold, there still has to be basic fundamental rules of the institution. There is a basic fundamental rule of airplane flight: you don't bring guns on to airplanes; and if you do, you have been had. It is very serious. You don't joke about bombs in airports.

And I don't care if you are a member of a gang or a business person because I have seen it work both ways. You are both coming off with Federal authorities and it seems to me that while you are trying to structure the models to deal with the multifaceted problem that sort of washes over our school systems from society, there still has to be some basic guidelines, but you don't kick and punch teachers and I am of the mind that you will have to forfeit your right to education and I am saying for a year.

I don't pretend that this is the answer, but I think that until people are on notice about what is acceptable and unacceptable in this institution, that we are not sending the message that the behavior needs change or that certain behavior stops at the school boundary, if you will. And I would like some comments about that. And don't

worry about pride of authorship on this. I have heard it both ways on this bill. It just concerns me.

Mrs. COOPER. I wholeheartedly agree with you. I think that one of the problems, especially in the lower elementary school, is that children are not held responsible for their actions. Number one, they are not given clear guidelines, and when they cross the guidelines that they aren't given clear ones, they are not really held responsible for what they do because they are little. They are too young to understand. I don't think they are. I think they do need to be held absolutely responsible for their actions.

Mr. HOLMES. I agree with the issue of accountability. I mentioned that the legislators in Virginia had taken some initiatives. They have toughened the laws in the State with respect to carrying any weapons or carrying guns on to school property, and also made it a penalty for a minor to transport a weapon or to possess a weapon, a handgun specifically.

So they are giving us authority through the courts to take action. In fact, the school board has made the possession of a gun a mandatory recommendation for expulsion. I think that is very significant because it takes the discretion out of the hands of the principal. They don't have to think about it. And not all students are expelled, but all of them are prosecuted.

Mr. MILLER of California. What is the timeline between the recommendation and the determination?

Mr. HOLMES. Well, the code of Virginia does give you a hearing process, so it can take a period up to 6 weeks but the student is held out of the school in the cases of air gun violation. They are given a long-term suspension which has appeal and procedural protections built in, with the exception of special education students. So consequently the action is fairly quick in the continuum of what the student is about to lose.

Mr. BEARD. I might add that they found an interesting wrinkle in Virginia. If the student is convicted of a gun violation, they can have their right to a driver's license suspended for a year. And I am sure that there are some students that would be more concerned about losing their driver's license than they are about losing the privilege of going to school.

Mr. JAMES. I would add that I grow a little uncomfortable whenever we talk about imposing solutions to the juvenile crime problem on campuses on just focusing on what educators could do. I would be pleased to see a great deal more discussion about the interagency component.

As handy a tool as expulsions and suspensions can be, they are still uncertain tools because of our desire to continue to mainstream children whenever possible and not pawn off a problem on to another agency by putting the kid out on the street. There is a more certain tool and that is adjudication. And it seems to me that one of the model programs that we need to focus on in this regard is one that makes educators a key player on the interagency teams where agencies that provide services to juveniles in the same jurisdiction can get together, share information, and talk about the common problems in their files.

Once you have a juvenile operating under a consent decree or an adjudication, you have a far greater variety of tools to bring under

control what that juvenile does in the community than you can through a suspension. It is not easy in a local government setting to bring together agencies in a cooperative environment, but we have had successes, both in JJDP^a and through the National School Safety Center's efforts. And it does work.

What we have found is that most local jurisdictions don't adjudicate and don't identify their most service-offending juveniles and, therefore, they don't have the tools to control them. And it is almost unfair to take that juvenile and place them back in school and tell the adjudicator to fix the problems when their tools are not better suited than those that the other agencies had. Adjudicators know about this, and I think it counts in part for their desire to have the courts come in and help them. And I think that this inter-agency component needs to be figured into our discussion of model programs.

Mr. MILLER of California. I don't disagree with you. And I am obviously again a strong believer in comprehensive models that deal with almost any problem. But I have a real concern that, one, we will never fund those kinds of programs on a pilot basis in a few districts around the country; and two, I just worry that we are in the process of so debasing and cheapening the educational systems in this country that there is very little reason to show any respect.

And I question if you are suspended for 5 days or 10 days or 30 days—I was suspended from school more times that you can shake a stick at, but there was really no stake in it. I was finally suspended for leaving school, which I thought was a tremendous idea. But if at some point if the family knows that this behavior is going to forfeit maybe your right to go to college, then you are going to have a little discussion about whether or not you carry a gun to school.

I don't think that the consequences are sufficient. And my first plan would be a comprehensive kind of program that all of you have suggested in one fashion or another. But I am terribly concerned that on a daily basis, you know, we have one in 20 students who has the ability to totally destroy the educational experience of students because they have a gun on campus, if those figures are right. And if you add the other weapons, we have increased the number of students who can do that. There are obviously many students who can do that without a weapon, just with their personality.

And I just think at some point that communities and parents ought to know that these are the rules for the attendance in this institution. It is one of the reasons that we sort of think that private schools or Catholic schools are better because they simply say, take your son or daughter and get out of here because we are going to preserve the educational experience here. And when I talk to the people in the communities that I represent that are wracked by violence, among the highest in the Nation, parents are saying take these those kids and get them out of here. I still want my kids to have a chance.

I hate to put this in an either/or context, but it seems to me that underlying the suspension policy or the bright lines system, that you don't need Probation talking to Mental Health talking to educators, as you suggest, but I am worried that we can't afford to

wait for that to take place on a sort of an amenable schedule and other people's schedules who aren't being held up in school.

It is naturally cast either/or. I hate to do that, but I am concerned that some messages have to go out about the value of these institutions in our society to those kids that are willing to, you know, sort of play by the rules.

Thank you. Thank you very much.

Chairman KILDEE. Mr. Sawyer?

Mr. SAWYER. Thank you, Mr. Chairman.

So much of this is not new. So much of it is simply a matter of having spread from places where we were willing to tolerate it to places where we are no longer willing to tolerate it. Twenty-five years ago I taught in a school where the number of weapons carried by students would have been a shock in most places in that time but it was certainly no shock there.

I taught there for several years and then wound up as an administrator in a State school for adjudicated youth. This was a setting where kids were convicted of crimes with 20-year and life sentences. I was responsible in the one setting for being the teacher, and in the other setting for hiring teachers.

And the one common characteristic that seemed to abide over those 25 years has been that we continually send teachers and administrators into settings that they have no way to anticipate what they are going to face. Typically, they are ill-prepared to deal with when they get there, and are poorly supported by those around them who are supposed to be their supervisors once they confront it. And if they don't have the grit, the intelligence, the genuine imagination and tenacity to deal with that, they just don't survive.

I apologize for not being here when we began. I was still traveling, but it seems to me that what I heard you say this morning, at least in part, comes back to how we prepare the people who populate these institutions of learning and how we prepare them to be the best they can be in a difficult circumstance.

Just glancing through your testimony, Dr. James, I saw you touched on that sort of thing. Certainly you couldn't miss Mrs. Cooper's testimony and how compelling that was in that regard.

Would any of you or all of you care to comment on the kinds of things we need to do and how we prepare the people to make these systems run?

Mr. HOLMES. I think the training initiatives are critical. I think that we are concerned with higher education and how they prepare the teachers entering into the workforce, but we also think that it is the employer's responsibility to take staff and provide the training and support to try to deal with the problems.

I know that Mrs. Cooper is speaking to the issue as well of how we prepare teachers and other personnel to deal with the problems that come our way. That is critical. One thing that seems to run through this, and you don't hear it discussed often, is that the students we are dealing with as 11th and 12th graders are individuals who are going to be bringing us children in 3 or 4 or 5 years.

And there is little preparation for what that role will bring to those individuals. So from the standpoint of preventing problems, yes, there is a need to train staff but there is also an issue of

reaching the young adults who are the parents of tomorrow so that they don't bring those problems into Mrs. Cooper's class.

Mrs. COOPER. I agree that training the teachers—I would love to have training in dealing with the angry child. And I don't mean dealing with the occasionally active child because if we can't do that, we don't belong in the school system. But I mean dealing with the chronically angry child. And I have not seen the training yet. I have asked for it for 5 years and I have yet to see it.

But I also think that—I don't know that so-called sex education is what is needed but the students do need to have a course maybe mandated in child rearing. And in human growth and development. That maybe our best bet. They know what sex is. They know how to do it. Obviously any sex education that we have given them has only spurred them on. Perhaps in a more safe manner. But I think that we do need to mandate possibly the human growth and development so that they know what they are going to face. They don't know what they are going to face when they have a baby.

Mr. SAWYER. Dr. James?

Mr. JAMES. I think I continue to point to the Act being one that helps policymakers get on the steep learning curve of protecting their campuses against the kind of challenges that are being brought to it. There was a recent study of data that was accumulated under the first few years of the Federal School Yard Act enforcement, the first drug-free zones initiative, that suggested that our modern campuses now attract more than the students that the law compels to attend, but other elements of crime, and has made it something of a farmer's market.

And we have said it this morning, and I think it will continue to be true, that few teachers and administrators are prepared for that kind of environment when they are certified or obtain their degree and are assigned to a particular school. And it is unfortunate more resources are not placed at their disposal to help them get on the learning curve.

Mr. SAWYER. Thank you, Mr. Chairman.

Chairman KILDEE. Thank you Mr. Sawyer, Mr. Payne?

Mr. PAYNE. Thank you, Mr. Chairman. I too apologize for missing most of the testimony. I was enroute also. The planes were late this morning.

Yesterday in my home district I had a meeting with one of the directors of the Trauma Center at University of Medicine and Dentistry in Newark. And unfortunately we have the highest rate of trauma anywhere probably in the country. It was alarming that I learned that we have as many transports for emergency calls in Newark as does the City of Chicago. Newark must be about one-tenth the size, which means that the violence is at least 10 times greater.

And that is kind of frightening. But several of the things that did come up was that there has been a lot of studies done with 40- and 30-year-olds and they have started to do research on what has happened in the first grade with the ones who are ending up in trauma centers or either dead by violence. They are starting to develop a prototype or a behavior with a number of the persons who have ended up with severe problems and that there is a similarity in

what happened in the first grade, fifth grade, and the seventh grade.

And what I would hope to suggest that rather than the discussion about a suspension on the spot, nonsuspension, or the second offense, a suspension on campus, that if we could take the data to start to research the behavior traits in the second and third and fourth grades and have an approach to dealing with those problems with the second and third and fourth graders, now that have the same behavior traits, and that might be where the energies could be most utilized. We can prevent another generation from the problems and pitfalls that this current generation has found itself in.

There is also correlation, not only with the gunshot wounds and knife wounds and so forth, but the whole question of vehicle traffic accidents and the whole question of risk taking, driving carelessly and going through stop signs, having no fear of the consequences. And this is that same kind of antisocial behavior that creates a lot of traffic in the trauma units. Because many of the persons are also head injuries or vehicular traffic injuries.

But it is definitely something that is becoming extremely severe. Just yesterday, listening to the news, in New York City, two youngsters were playing basketball, 9-year-olds. They got into an argument and one went home and stabbed the other and I believe one 9-year-old boy died. And this was a conflict between 9-year-olds and it ended up in a 9-year-old committing murder. It is just no question about it.

It has gotten out of hand and certainly when you see on television and in the movies, that is certainly not helping the whole question of violence. But I look forward to getting a chance to look through your testimony and hopefully we can get this bill moving along so that we can start seriously dealing with the question of violence.

Thank you.

[The prepared statement of Hon. Donald M. Payne follows:]

STATEMENT OF HON. DONALD M. PAYNE, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW JERSEY

Mr. Chairman, I would like to take this opportunity to thank you for bringing these distinguished panelists before us today in order to discuss the School Environment and Safety Act. I would also like to extend a very warm welcome to Ms. Madeline Kunin, our Deputy Secretary of Education.

I am honored to be here today because as a former grammar high school teacher, I have a strong interest in the education and safety of our Nation's children.

I believe that the proposed extension for six years for programs under the Elementary and Secondary Education Act is necessary if this country intends on improving the educational system. For example, the bill provides for basic skills improvement and drop-out prevention and reentry. In a nation that is concerned with upgrading its workforce as well as competing in a global market, we cannot afford to shortchange our children and youth at a crucial and formative time in their lives. Moreover, as an original sponsor of National Literacy Day for over four years, I believe that the Even Start Family Literacy program is a necessary component of this legislation. In addition, to the other several components of this bill, I want to express my support for the efforts on behalf of this legislation.

Finally, I would like to thank all of today's panelists for their testimony and I look forward to hearing their comments.

Chairman KILDEE. Thank you very much. I want to thank the panel. The witnesses have been excellent. You have also obviously given a good deal of thought to how we can make our schools safer

for our children. And your testimony has been both broad and complementary.

I think I find a lot of agreement among yourselves approaching it from different ways. I think it has been very helpful to this committee. We will want to stay in touch with you as the elementary and secondary educational reauthorization continues and we thank you for your commitment to children.

The hearing record will be kept open for 2 additional weeks for any further submissions and we may want to come back to the four of you with some further questions on that. We thank you. It has been very helpful, the broad and complementary approach that we have heard from the four of you.

Thank you very much and we will stand adjourned.

[Whereupon, at 11:45 a.m., the subcommittee was adjourned.]

[Additional material submitted for the record follows.]

STATEMENT OF HON. CHARLES E. SCHUMER, A REPRESENTATIVE IN CONGRESS FROM
THE STATE OF NEW YORK

In just one week this year in New York, two school children were shot, one was stabbed and a fourth was slashed. Unfortunately, these are not rare occurrences in New York, or in any of the Nation's school districts. The National Crime Survey reports that almost three million crimes occur on or near school campuses every year. Last year in New York City schools alone there were 1,880 assaults and 2,416 incidents of weapons possession.

In schools around the country, our children learn as much about fear and pain as they do about reading and arithmetic. Sadly, teachers and administrators have been the targets of violence as well.

Clearly, for many children, schools are no longer a safe harbor of hope, but just one more battleground. Before we can make schools the vanguard of American competitiveness and excellence, we must restore them as sanctuaries that nurture and protect our children.

Schools have begged Congress to help stem the tide of violence. Local resources, already stretched by the demands of modern education, are overwhelmed when that education must include the latest security measures along with teachers and books.

In July of 1991, my Safe Schools Act was marked up and reported by the Subcommittee on Crime and Criminal Justice and eventually became Title IV of the Judiciary Committee Crime Bill (H.R. 3371), and Title XXIX of the Conference Report. Unfortunately, the Conference Report never became law.

This bill would have established a \$200 million Federal grant program administered by the Department of Justice, in consultation with the Secretary of Education, to help schools and school districts create and maintain safe learning environments for their students.

Under this bill, schools and districts could have applied for grants to help finance a broad range of anticrime and safety measures and programs, specifically including:

- anti-violence curriculum including program development, teacher training, textbooks, etc.
- student mediation programs
- victim counseling programs
- substance abuse education and prevention programs
- anti-gang programs
- security equipment such as metal detectors, video surveillance equipment, security doors, etc.
- private security guards or other adult monitors

In addition, the bill would have strengthened the Gun-Free Schools Act by increasing penalties for possession of a firearm by an adult within 1,000 feet of a school, and the Drug-Free School Zone Act by increasing penalties for possession of drugs by an adult within 1,000 feet of a school.

Similar legislation, of which I am a cosponsor, has been introduced this session. Never has it been more important to pass this legislation and help our schools attain the atmosphere of excellence and learning so necessary to the future of our children and our Nation.

ISBN 0-16-044695-3



90000



9 780160 446955

BEST COPY AVAILABLE

74